



# St Wilfrid's CE Primary School

## Data Protection Policy

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## **1. Purpose**

St Wilfrid's CE Primary School is committed to protecting personal data and processing it lawfully, fairly and transparently. This policy sets out how the school complies with its obligations under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

The school recognises the importance of safeguarding personal information relating to pupils, parents/carers, staff, governors and visitors.

## **2. Legislation and Guidance**

This policy is based on the following legislation and guidance:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Information Commissioner's Office (ICO) guidance
- Education (Pupil Information) (England) Regulations 2005
- Department for Education (DfE) guidance on data protection and information security

## **3. Definitions**

### **Personal data:**

Any information relating to an identified or identifiable individual.

### **Special category data:**

Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data or data concerning a person's sex life or sexual orientation.

### **Processing:**

Any operation performed on personal data, including collection, storage, use, sharing or deletion.

## **4. Roles and Responsibilities**

### **4.1 Governing Board**

The governing board has overall responsibility for ensuring that the school complies with data protection legislation and for approving this policy.

### **4.2 Data Protection Officer (DPO)**

The school has appointed a Data Protection Officer who provides independent advice and monitoring in accordance with UK GDPR requirements.

The DPO is provided through an external arrangement within the family of schools and is independent of the school's operational decision-making.

Contact details for the Data Protection Officer are available from the school office.

#### **4.3 Headteacher**

The headteacher is responsible for:

- Ensuring this policy is implemented
- Ensuring staff receive appropriate data protection training
- Ensuring data breaches are managed appropriately

#### **4.4 Staff**

All staff are responsible for:

- Protecting personal data
- Processing data in accordance with this policy
- Reporting data breaches immediately
- Completing required training

#### **5. Lawful Basis for Processing**

The school processes personal data under the following lawful bases:

- **Public task** – where processing is necessary for the performance of the school's official functions
- **Legal obligation** – where processing is required by law
- **Consent** – where required and freely given
- **Legitimate interests** – only where processing is not related to the school's public task

Special category data is processed in accordance with Article 9 of UK GDPR.

#### **6. Data Subject Rights**

Individuals have the right to:

- Access their personal data
- Request rectification of inaccurate data
- Request erasure (where applicable)
- Restrict processing
- Object to processing
- Data portability (where applicable)

The school will respond to requests without undue delay and within one month.

## **7. Subject Access Requests**

Individuals may request access to personal data held about them.

- Requests will be responded to within one month
- Copies of personal data, including educational records, will be provided **free of charge**, unless the request is manifestly unfounded or excessive
- Proof of identity may be required

## **8. Children's Data**

The school recognises that children have the same data protection rights as adults.

The school will assess a child's capacity to understand and exercise their rights on a case-by-case basis, taking account of age, maturity and understanding.

## **9. Data Security**

The school has appropriate technical and organisational measures in place to protect personal data, including:

- Secure storage systems
- Password-protected devices
- Controlled access to systems
- Encryption where appropriate

Staff must follow all information security procedures.

## **10. Data Breaches**

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

- All data breaches must be reported immediately to the headteacher
- The school will assess and, where required, report notifiable breaches to the ICO within 72 hours
- A record of breaches will be maintained

## **11. CCTV**

The school uses CCTV for safeguarding and security purposes.

- CCTV footage is retained for **no longer than 30 days**, unless required for investigation or legal purposes
- Access to footage is restricted

## **12. Retention of Records**

The school retains personal data in accordance with its retention schedule.

The school follows the **Information and Records Management Society (IRMS) retention schedule for schools**.

Data is securely disposed of when no longer required.

## **13. Artificial Intelligence (AI)**

The school recognises the risks associated with the use of artificial intelligence.

- Staff must not input personal data into unauthorised AI tools
- Any use of AI must follow DfE guidance
- AI must not be used to make automated decisions about pupils

## **14. Privacy Notices**

The school provides privacy notices explaining how personal data is used.

Privacy notices are available:

- On the school website
- From the school office

## **15. Complaints**

Individuals who are concerned about how their personal data has been handled should contact the school in the first instance.

Individuals also have the right to complain to the Information Commissioner's Office (ICO).

## **16. Review**

This policy will be reviewed annually by the governing board or sooner if required by changes in legislation or guidance.