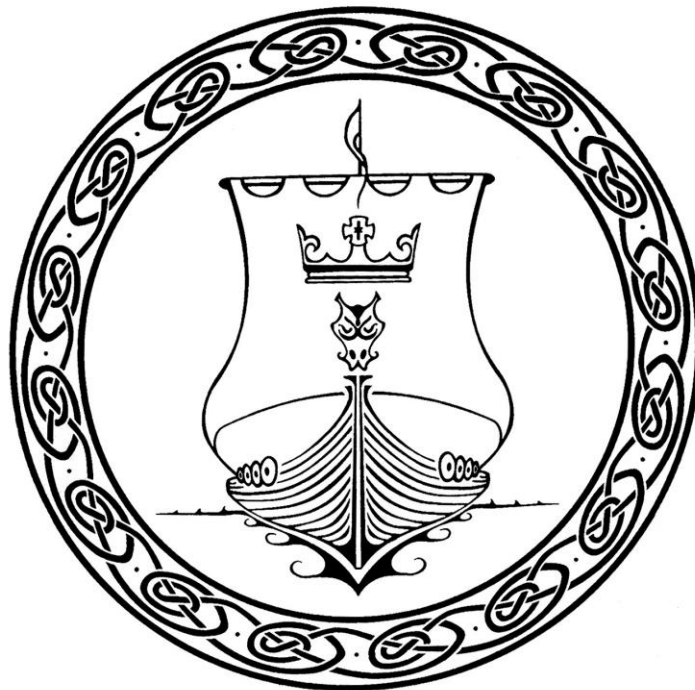




## Queen Elizabeth II High School

### Data Protection Policy



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## Scope of Policy

This policy is intended to provide information about how the school will use (or "process") personal data about individuals including current, past and prospective staff, students; and their parents, carers or guardians (referred to in this policy as "parents"). During the course of the school's activities it collects, stores and processes personal data about staff, students; their parents, suppliers and other third parties, and it is recognised that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should be aware of and comply with the school's data protection policy and any breach of this policy may result in disciplinary action. The Policy should also comply with the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders).

This policy sets out the basis on which the school will process any personal data we collect from data subjects, or that is provided to us by data subjects or other sources. It does not form part of any worker's contract of employment and may be amended at any time. The school is required to process relevant personal data regarding employees as part of its operation and shall take all reasonable steps to do so in accordance with this policy.

For the purpose of this policy 'The School' is defined as The Queen Elizabeth II High School.

## Data Controller

The Headteacher is the Data Controller (DC) in Queen Elizabeth II High School, who will endeavour to ensure that all personal data is processed in compliance with this policy, the Data Protection Act 2018 and the Data Protection (Application of GDPR) Order 2018, the Data Protection (Application of LED) Order 2018, and associated GDPR Regulations 2018 (or any updates to such legislation under this Act and Orders). The Data Protection Representative for Queen Elizabeth II High School is the School Business Manager.

The Data Protection Officer for the Department of Education, Sport and Culture can be contacted at: Department of Education, Sport and Culture, Thie Slieau Whallian, St John's, Isle of Man. IM4 3AS . Tel 01624 685828. Email: DPO-DESC@gov.im.

## The Principles

When you process personal data, you should be guided by the following principles. The principles require personal data to be:-

1. processed lawfully, fairly and in a transparent manner (Lawfulness, fairness and transparency);
2. collected only for specified, explicit and legitimate purposes and not further processed in a manner incompatible with those purposes (Purpose Limitation);



3. adequate, relevant and limited to what is necessary to achieve the purpose the information was collected (Data Minimisation);
4. accurate and where necessary kept up to date (Accuracy);
5. not kept in a form which permits identification of data subjects for longer than is necessary for the purpose which the personal data is processed (Storage limitation); and
6. processed in a manner that ensures its security, using appropriate technical and organisational measures to protect against unauthorised or unlawful processing, and against accidental loss, damage or destruction (Security, integrity, resilience and confidentiality/availability).

## **Personal Data**

Personal data covers information relating to identifiable individuals, such as job applicants, current and former employees, agency, contract and other staff, students and their parents, suppliers and marketing and business contacts.

## **Processing of Personal Data**

The school's policy is to process personal data in accordance with the applicable data protection laws as set out above. All staff have a responsibility for the practical application of this policy. When gathering personal data or establishing new data protection activities, staff should ensure that individuals whose data is being processed have access to the appropriate privacy notices to inform them how the data will be used. Parental and student consents will be sought and retained in relation to specific use of data as required.

## **Rights of Individuals**

Individuals have the right to access personal data about them held by the school, subject to certain exemptions and limitations. Any individual wishing to access their personal data should put their request in writing to the Data Controller.

The school will endeavour to respond to any such written requests (known as "subject access requests") as soon as is reasonably practicable and in any event within statutory time-limits in line with the Department's Subject Access Request procedures which can be found online at <https://www.gov.im/media/1363107/subject-access-request-procedure-desc.pdf>

Certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. It is a criminal offence to dispose of or destroy records after a subject access request has been made. The school is also not required to disclose any student examination scripts (though examiners' comments may fall to be disclosed), nor any reference given by the school for the purposes of the education, training or employment of any individual.



Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the school, they have sufficient maturity to understand the request they are making. Students aged 13 or over are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested. All subject access requests from students will therefore be considered on a case by case basis.

A person with parental responsibility will generally be expected to make a subject access request on behalf of younger students. A student of any age may ask a parent or other representative to make a subject access request on his/her behalf.

The rights under the Act belong to the individual to whom the data relates. However, the school will in most cases rely on parental consent to process personal data relating to students (if consent is required under the Act) unless, given the nature of the processing in question, and the student's age and understanding, it is more appropriate to rely on the student's consent. Parents should be aware that in such situations they may not be consulted.

Students are required to respect the personal data and privacy of others, and to comply with the school's policies and the school rules.

## **Reporting a personal data breach**

If you know or suspect that a personal data breach has happened you should immediately inform the Data Protection Representative and follow their advice and further instructions.

You must retain all evidence relating to the personal data breach to enable the school to maintain a record of such breaches as required by the data protection legislation.

All data breaches will be notified to the Data Protection Officer who will determine any further action required.

The data protection legislation requires that we report to the Information Commissioner's Office (ICO) any personal data breach where there is a material risk to the rights and freedoms of the data subject and the breach must be reported within 72 hours of first becoming aware of the breach.

## **Data Security**

The school must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must notify the DC of any changes to information held about them.

An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the DC in writing.



## Enforcement

If an individual believes that the school has not complied with this Policy or the Data Protection legislation, they should utilise the School complaints procedure and should also notify the Data Controller at Queen Elizabeth II High School, Douglas Road, Peel. IM5 1RD Tel. 01624 841000 Email: [QE2enquiries@sch.im](mailto:QE2enquiries@sch.im)