



**Luston and Shobdon Community Primary Schools  
Federation  
including Luston Nursery  
Data Protection Policy**

<b>Last reviewed</b>	<b>April 2026</b>
<b>Renewal due</b>	<b>April 2028</b>

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## **Purpose**

The purpose of this document is to set out the Federation's statement of intent with regard to personal data and to inform all school employees, governors, volunteers and contractors of their responsibilities for handling and protecting the personal data they work with.

## **Scope**

Every person handling information or using the Federation information systems is expected to comply with the Federation's policies and procedures. This document highlights your key responsibilities and actions that you should take when handling personal data. Should personal data fall into the wrong hands there could be significant repercussions.

This policy applies to all personal data, held in all formats.

## **1.0 Introduction**

Luston and Shobdon Community Primary Schools (The Federation) collects and uses personal information in order to enable the schools to provide education and other related services. There are legal requirements for schools to collect and use certain categories of personal data to ensure that the Federation complies with its statutory obligations.

The Federation has a responsibility under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA) to obtain, record, hold, use and store all personal data relating to an identifiable individual in a secure and confidential manner.

This Policy provides a framework within which the Federation will ensure compliance with the requirements of the legislation, associated regulations and guidance and will underpin any operational procedures and activities connected with the processing of personal data.

## **2.0 Legislation, Guidance and Background**

The UK GDPR and DPA govern the collection and use of personal data that identifies living individuals directly or indirectly and includes information held in all formats. In addition, it provides a mechanism by which individuals (Data Subjects) can have control over the way in which their personal data is held and processed.

The legislation:

- states that all personal data must be processed within the legal framework and the data protection principles contained therein.
- sets out the lawful basis for processing personal data.

- identifies certain personal data as special category data and requires additional safeguards and processing requirements to be taken in relation to this sub-set.
- provides data subjects with a number of enforceable rights over their personal data.
- sets out the responsibilities and requirements of Data Controllers and Data Processors.
- gives regulatory and enforcement powers to the Information Commissioner Office (ICO)
- requires Data Controllers to report data breaches that will or are likely to result in a risk to the rights and freedoms of data subjects to the ICO.

Further information and guidance relating to the legislative requirements of the UK GDPR and DPA can be found at <https://ico.org.uk/>.

### 3.0 Key Definitions

Term	Definition
<b>Data controller</b>	A person or organisation that determines the purposes and means of processing of personal data.
<b>Data processor</b>	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
<b>Data subject</b>	The identified or an identifiable individual to whom the personal data relates.
<b>Personal data</b>	<p>Any information relating to an identified or identifiable living individual. Examples include:</p> <ul style="list-style-type: none"> <li>• Name (including initials)</li> <li>• Identification number</li> <li>• Location data including Online identifiers</li> <li>• Photograph or video image</li> <li>• Reports concerning an individual</li> </ul> <p>It may also include factors specific to an individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p> <p>Information is the product of a collection of data and expressed views and opinions based upon it. It can be held and used in many forms including but not limited to</p>

Term	Definition
	electronic records, hard copy, images, recordings of phone calls and conversations.
<b>Personal data breach</b>	Accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. A breach occurs when there has been a loss of confidentiality, availability or integrity of personal data, whether accidental or deliberate.
<b>Processing</b>	Any operation or set of operations performed on personal data including: collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
<b>Special categories of personal data</b>	<p>Personal data which is considered to be more sensitive and therefore requires further safeguards:</p> <ul style="list-style-type: none"> <li>• Racial or ethnic origin</li> <li>• Political opinions</li> <li>• Religious or philosophical beliefs</li> <li>• Trade union membership</li> <li>• Genetic data</li> <li>• Biometric data where used for identification purposes (such as fingerprints, retina and iris patterns)</li> <li>• Health – physical or mental</li> <li>• Sex life or sexual orientation</li> <li>• Criminal offences and procedures</li> </ul>

#### 4.0 Roles and Responsibilities

This policy applies to all staff employed by the Federation as well as governors, volunteers, contractors, external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

#### 4.1 The Data Controller

The Federation, the two schools, processes personal data relating to pupils, staff, contractors, volunteers, parents, carers, governors, visitors and others; and therefore is a Data Controller.

The Federation is registered as a Data Controller with the ICO and will renew this registration annually or as otherwise legally required.

#### **4.2 Governing Body**

The Governing Body has overall responsibility for ensuring that the Federation complies with all relevant data protection legislation and obligations.

The Governing Body will monitor activities and incidents. It will ensure that there are adequate resources to support the work outlined in this policy to enable compliance with the legislation.

#### **4.3 Data Protection Officer**

The School's Data Protection Officer (DPO) is Ms Samantha Smith who can be contacted by E-mail: [igschools@herefordshire.gov.uk](mailto:igschools@herefordshire.gov.uk); Tel: 01432 260282.

The DPO is responsible for advising the Federation with regard to its obligations under the legislation including but not limited to: providing advice and assistance with data protection impact assessments, policies and procedures; acting as the point of contact for the ICO; assisting with the processing of data subject rights requests; raising awareness of policies and legal requirements; training staff, governors and other's processing data on behalf of the school. The DPO will liaise with the Governing Body, SLT and nominated Federation data protection lead. Full details of the DPO role and requirements are set out in the data protection legislation.

#### **4.4 Executive Headteacher**

The Executive Headteacher acts as the representative of the Data Controller on a day-to-day basis.

#### **4.5 Staff and Governors**

All staff and governors will ensure that:

- personal data is treated in a confidential manner in accordance with this and any associated policies and procedures.
- the rights of data subjects are respected at all times.
- privacy notices will be made available to inform data subjects how their data is being processed.
- personal data is only used for the stated purpose, unless explicit consent has been given by the data subject to use their information for a different purpose.
- personal data is only disclosed on a strict need to know basis, to recipients who are entitled to that information.
- personal data will be held securely within applications, systems, personal or shared drives and will only be accessed in order to carry out work responsibilities.

- personal data is recorded accurately and is kept up to date.
- they immediately refer to the relevant procedure upon receipt of a subject access request and/or requests in relation to the rights of data subjects.
- they immediately refer to the relevant procedure should an actual or potential personal data breach occur.
- they will contact the DPO should they have any concerns or require assistance in relation to the collection, use, sharing and other processing of personal data. This includes seeking advice on necessary steps when engaging with a new activity that may affect the privacy rights of individuals.

It is the responsibility of all staff and governors to ensure that they comply with the requirements of this policy and any associated policies or procedures.

#### **4.6 Contractors and Agency Staff**

Where contractors and agency staff are used, the contracts between the Federation and these third parties must contain mandatory information assurance clauses to ensure that the contractors and agency staff are bound by the same code of behaviour and policies as Federation staff and governors, including this policy.

#### **4.7 Volunteers**

All volunteers are bound by the same code of behaviour and policies as Federation staff and governors, including this policy.

#### **5.0 Collecting, Processing and Sharing Personal Data**

The Federation will only collect and process personal data in line with the principles and lawful basis for processing set out by the legislation.

Whenever we collect personal data directly from individuals, we will provide them with the relevant information required by data protection law in the form of a Privacy Notice.

The Federation Privacy Notices can be found on the Federation website [www.lustonshobdonfederation.org.uk](http://www.lustonshobdonfederation.org.uk)

Data will only be shared when the law, our policies or the consent of the data subject allows us to do so.

#### **6.0 Data Processors**

The Federation must have written contracts in place with all external companies or individuals who process personal data on behalf of the School as Data Processors. The Federation will ensure that processors are only appointed if they can provide sufficient guarantees through the procurement process that the requirements of the UK GDPR and DPA will be met and the rights of data subjects are protected.

All those subject to this policy will follow the Federation process for considering and assessing potential new data processing activities and processors.

## **7.0 Data Protection by Design**

The Federation has measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge.
- Only processing personal data that is necessary for each specific purpose and always processing personal data in line with the data protection principles set out in the legislation.
- Completing data protection impact assessments where the Federation's processing of personal data presents a high risk to the rights and freedoms of individuals and when introducing new technologies.
- Integrating data protection into internal documents including any related policies and procedures.
- Regularly training the Federation workforce and governors on data protection law and practice, relevant policies and procedures.
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant.
- Maintaining records of type of personal data collected, held and our processing activities.

## **8.0 Data Security and Records Management**

The Federation will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and protect against accidental or unlawful loss, destruction or damage.

All Federation workforce and governors must ensure that information relating to data subjects is kept secure and confidential at all times. This includes storing information in line with the schools information management procedures.

The Federation will ensure that information is not transferred to countries outside the European Economic Area (EEA) unless that country has an adequate level of protection for security and confidentiality of information which has been confirmed by the Information Commissioner.

All records should be retained and disposed of in accordance with the School retention schedule found at [www.lustonshobdonfederation@org.uk](mailto:www.lustonshobdonfederation@org.uk)

## **9.0 Biometric Information**

Luston and Shobdon Community Primary Schools do not currently collect or process biometric information.

## **10.0 Data Subject Rights**

Under the data protection legislation data subjects have a number of rights. Any individuals wishing to exercise their rights should email or write to the school.

## **11.0 Related Policies, Procedures and Guidance**

All Federation workforce and governors should ensure they regularly check and abide by the following policies, procedure and guidance documents:

- Code of Conduct
- Complaints Policy
  - Complaints Procedure
- Data Protection Policy
  - Privacy Notices
  - Rights of the Data Subject Guidance
  - Data Subject Rights Procedure
  - Subject Access Procedure (including Education Records Request)
  - Data Incident and Breach Procedure
  - New Process or Processor Policy
  - DPIA Procedure
- Events Policy
  - School Trip Procedure
  - School Performance Procedure
  - Sports Day Procedure
- FOI Policy
  - Publication Scheme
  - Freedom of Information Request Procedure
- IT
  - Information Security – Personal Responsibilities Policy
- Photography Policy
  - Device Procedure re photographs
- Records Management Policy
  - Records retention schedule
- Social Media Policy
  - Procedures for using social media

**Review and Revision**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years.

Policy review will be undertaken by the Executive Headteacher.