The Federation of Sacred Heart and St Mary's RC Primary Schools, Battersea

DATA PROTECTION POLICY

Approved By	Governors
Reviewed On	November 2024
Review Due	November 2025
Review Cycle	Annually

Contents

Aims

Our school aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed are in accordance with the UK General Data Protection Regulation (UK GDPR) and the provisions of the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Bill.

This Policy applies to all Personal Data, regardless of whether it is in paper or electronic format.

Legislation and Guidance

This policy meets the requirements of the UK GDPR and the provisions of the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and the ICO's code of practice for subject access requests.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child's educational record.

Definitions

Term	Definition
Personal Data	**Any information relating to an identified, or identifiable, individual.** **This may include the individual's:** ○ Name (including initials) ○ Identification number ○ Location data ○ Online identifier, such as a username It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.
Special Categories of Personal Data	**Personal Data which is more sensitive and so needs more protection, including information about an individual's:** ○ Racial or ethnic origin ○ Religious or philosophical beliefs ○ Trade union membership ○ Genetics ○ Health – physical or mental
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
Data Subject	The identified or identifiable individual whose personal data is held or processed.

Data Controller	A person or organisation that determines the purposes and the means of processing of personal data.
Data Processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

The Data Controller

Our school processes personal data relating to parents, pupils, staff, governors, visitors and others, and therefore is a data controller.

The school is registered as a data controller with the ICO and will renew this registration annually or as otherwise legally required.

Our Data Protection Registration Numbers are:
St Mary's Z5214828
Sacred Heart Z7141696

Roles and Responsibilities

This policy applies to **all staff** employed by our school, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

Full Governing Body

The full governing body has overall responsibility for ensuring that our school complies with all relevant data protection obligations.

Data Protection Officer

The Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the full governing body and, where relevant, report to the board their advice and recommendations on school data protection issues.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

Full details of the DPO's responsibilities are set out in their job description.
The school DPO is Gary Hipple and is contactable via email at:
schoolsdpo@richmondandwandsworth.gov.uk or
Telephone: 0208 871 8373

School Data Protection Lead

Jared Brading acts as the representative of the data controller on a day-to-day basis.

All Staff

Staff are Responsible for:

- Collecting, storing and processing any personal data in accordance with this policy.
- Informing the school of any changes to their personal data, such as a change of address.
- **Contacting the School Data Protection Lead in the first instance or DPO in the following circumstances:**
    - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure.
    - If they have any concerns that this policy is not being followed.
    - If they are unsure whether or not they have a lawful basis to use personal data in a particular way.
    - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area.
    - If there has been a data breach.
    - Whenever they are engaging in a new activity that may affect the privacy rights of individuals.
    - If they need help with any contracts or sharing personal data with third parties.
    - If they have had a Subject Access Request.

Data Protection Principles

The UK GDPR is based on data protection principles that our school must comply with.

The Principles say that Personal Data must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed.
- Accurate and, where necessary, kept up to date.
- Kept for no longer than is necessary for the purposes for which it is processed.
- Processed in a way that ensures it is appropriately secure.

This policy sets out how the school aims to comply with these principles.

Collecting Personal Data

Lawfulness, Fairness and Transparency

We will only process Personal Data where we have one of 6 'Lawful Bases' (Legal Reasons) to do so under Data Protection Law:

- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract.
- The data needs to be processed so that the school can **comply with a legal obligation.**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life.
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest,** and carry out its official functions.
- The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**.

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the UK GDPR and Data Protection Act 2018.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

Limitation, Minimisation and Accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.
Staff must only process personal data where it is necessary in order to do their jobs.
When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the schools retention schedule which is based on the Information and Records Management Society's Toolkit for schools.

Sharing Personal Data

We will not normally share Personal Data with anyone else, but may do so where:

- It is required in accordance with normal operational running of the school.
- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk.
- We need to liaise with other agencies – we will seek consent as necessary before doing this.
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies.

When doing this, we will:

- Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law.
- Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share.
- Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us.

We will also share Personal Data with Law Enforcement and Government Bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud.
- The apprehension or prosecution of offenders.
- The assessment or collection of tax owed to HMRC.
- In connection with legal proceedings.
- Where the disclosure is required to satisfy our safeguarding obligations.
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Subject Access Requests and Other Rights of Individuals

Subject Access Requests

Individuals have a right to make a 'Subject Access Request' to gain access to personal information that the school holds about them.

This includes:

- Confirmation that their personal data is being processed.
- Access to a copy of the data.
- The purposes of the data processing.
- The categories of personal data concerned.
- Who the data has been, or will be, shared with.
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period.
- The source of the data, if not the individual.
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual.

Subject access requests should be made in writing to the School Data Protection Lead, who will liaise with the DPO and should include:

- Name of individual.
- Correspondence address.
- Contact number and email address.
- Details of the information requested.

If staff receive a subject access request they must immediately forward it to the School Data Protection Lead who will liaise with the DPO.

Please see Appendix A for the Subject Access Request Procedure and Request Form.

Other Data Protection Rights of the Individual

In addition to the right to make a Subject Access Request (see above), and to receive information when we are collecting their Data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time unless the school has other justification for processing such data.
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Challenge processing which has been justified on the basis of public interest.
- Prevent processing that is likely to cause damage or distress.
- Be notified of a data breach in certain circumstances.
- Make a complaint to the ICO.
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the School Data Protection Lead/DPO.

Parental Requests to see the Educational Record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

Photographs and Videos

As part of our school activities, we may take photographs and record images of individuals within our school.

We will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil.

Uses may include:

- Within school on notice boards and in school magazines, brochures, newsletters, etc.
- Outside of school by external agencies such as the school photographer, newspapers, press, media, publicity.
- Online on our school website or social media pages.

Where consent is used as the basis for processing personal data, that consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

Data Protection by Design and Default

We will put 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 of processing, and always in line with the data protection principles set out in relevant data protection law.
- Completing privacy impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices.
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance.
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant.
- **Maintaining Records of our Processing Activities, including:**
    - For the benefit of data subjects, making available the name and contact details of our school and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices)
    - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods and how we are keeping the data secure.

Data Security and Storage of Records

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

In particular:

- Paper-based records and portable electronic devices, such as laptops, tablets, mobile devices and hard drives that contain personal data are kept secure when not in use.
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, pinned to notice/display boards, or left anywhere else where there is general access.
- Staff are restricted from taking personal information off site.
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. A password policy is in place to enforce this.
- Staff, pupils or governors who store personal information on their personal devices, or any cloud-based technology, are expected to follow the same security procedures as for school-owned equipment (see our Acceptable use agreement)
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected.
- Staff will implement email best practice (anonymise where possible, use BCC in addressing emails, use Egress Switch for secure transfer of personal data or use password protection if Egress is not available).
- We have approved educational web filtering across our wired and wireless networks through LGfL.
- We monitor school e-mails / blogs / online platforms, etc. through LGFL to ensure compliance with the Acceptable Use Agreement. Staff emails are scanned by LGfL MailProtect service.
- We follow LA guidelines for the transfer of any data, such as MIS data or reports of children, to professionals working in the Local Authority or their partners in Children's Services / Family Services, Health, Welfare and Social Services.
- Staff have secure area(s) on the network to store sensitive documents or photographs.
- We require staff to log-out of systems when leaving their computer, but also enforce lock-out after 10 mins. idle time. Wandsworth IT has a standard Screen Saver Lock Policy which is set as default. It is currently set at 30 mins.
- Wandsworth IT/CLC can advise the school on equipments or any portable equipments loaned by the school (for use by staff at home) disposals and where any protected or restricted data has been held.

Disposal of Records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or make use of our confidential waste service for paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

Personal Data Breaches

The school will make all reasonable endeavours to ensure that there are no personal data breaches.
In the unlikely event of a suspected data breach, we will follow the procedure set out in Appendix B.
When appropriate, we will report the data breach to the ICO within 72 hours.

Training

All staff and governors are provided with data protection training as part of their induction process.
Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

Monitoring Arrangements

The DPO and the Full Governing Body are responsible for monitoring and reviewing this policy.

Appendix A

Subject Access Request Procedure for The Federation of Sacred Heart and St Mary's.

Scope

All personal data processed by The Federation of Sacred Heart and St Mary's or on behalf of The Federation of Sacred Heart and St Mary's is within the scope of this procedure.

Data Subjects are entitled to obtain:

- Confirmation as to whether The Federation of Sacred Heart and St Mary's is processing any personal data about that individual;
- Access to their personal data;
- Any related information;

Procedure

Subject Access Requests (SARs) for information must be made in writing and sent to Jared Brading. The school will provide a template for the request (appendix 1).

If an individual is unable to provide a request in writing and justifiable assistance is required, it must be provided and the request can be made on behalf of the individual.

The Federation of Sacred Heart and St Mary's does not need to respond to a request made orally but, depending on the circumstances, it might be reasonable to do so (as long as The Federation of Sacred Heart and St Mary's is satisfied about the person's identity). It is good practice at least to explain to the individual how to make a valid request, rather than ignoring them.

If a request does not mention the Data Protection Legislation specifically or even say that it is a subject access request, it is nevertheless valid and should be treated as such if it is clear that the individual is asking for their own or child's personal data.

Requesters do not have to tell The Federation of Sacred Heart and St Mary's *their* reason for making the request or what they intend to do with the information requested, although it may help to find the relevant information if they do explain the purpose of the request.

A request is valid even if the individual has not sent it directly to the person who normally deals with such requests. So, it is important to ensure you recognise a subject access request (SAR) and forward it to the named person in school who will liaise with the school Data Protection Officer.

Any school employee who receives a request for a subject access request (SAR) must forward it immediately to Jared Brading, no matter what form it is received in.

Jared Brading will log and acknowledge the request.

The data subject will provide the school with evidence of their identity and the signature on the identity must be cross-checked.

List of Acceptable Identity includes:

- Passport
- Driving licence
- Birth certificate
- Utility bill (from last 3 months)
- Current vehicle registration document
- Bank statement (from last 3 months)
- Rent book (from last 3 months)
- Council tax

The Data Subject may specify to The Federation of Sacred Heart and St Mary's a specific set of data held by The Federation of Sacred Heart and St Mary's on their subject access request (SAR). The Data Subject can request all data held on them.

Jared Brading will update the log and record the date that the identification checks were conducted and the specification of the data sought.

Jared Brading will work with the school Data Protection Officer to provide the requested information to the data subject within one month from this recorded date.

Under the UK GDPR Article 12 (3), the month deadline may be extended by two further months where necessary, taking into account the complexity and number of the requests.

As the School has limited staff resources outside of term time, we encourage requestors to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible.

Jared Brading shall inform the Data Subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

Example of reason for the Delay:

- Volume of information is over 1,000 pages.
- Open complex cases.
- Three or more third parties are included.

Where the Data Subject makes the request by electronic means, the information shall be provided by electronic means where possible, unless otherwise requested by the Data subject.

Once received, the Subject Access Request (SAR) is immediately forwarded to Jared Brading, who will ensure that the requested data is collected within the specified time frame.

Collection entails:

- Collecting the Data specified by the Data Subject.
- Request The Federation of Sacred Heart and St Mary's to search and retrieve information from all relevant databases and all relevant filing systems (manual files) in the school, including all back up and archived files (computerised or manual) and all email folders and archives.

The Data Protection Officer will maintain a record of requests for data and of its receipt, including dates and copies of correspondences.

All documents should be reviewed that have been provided, to identify whether any third parties are present in it, and either remove the identifying third party information from the documentation or obtain written consent from the third party for their identity to be revealed.

The DPA currently sets out a number of exemptions which allow information to be withheld from data subjects in circumstances in which it would otherwise need to be disclosed.

Current Exemptions which are relevant include:

- Confidential references – schools do not have to provide subject access to references they have confidentially given in relation to an employee's employment;
- Management information – personal data which relates to management forecasting or planning is exempt from subject access (to the extent complying with the SAR would be likely to prejudice the business activity of the organisation);
- Legal advice and proceedings – schools do not have to disclose data which is covered by legal professional privilege;
- Settlement negotiations – the subject is not entitled to personal data which consists of a record of the employers intentions in respect of settlement discussions that have taken place or are in the process of taking place with that individual.

In the event that a Data Subject Requests details of what Personal Data is being processed then they should be provided with the following information:

- Purpose of the processing.
- Categories of personal data.
- Recipient(s) of the information, including recipients in third countries or international organisations.
- How long the personal data will be stored.
- The Data Subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed.
- The Federation of Sacred Heart and St Mary's takes appropriate measures to act without undue delay in the event that the data subject has: withdrawn consent (objects to the processing of their personal data in whole or part; no longer under legal obligation and/or has been unlawfully processed.
- Inform the Data Subject of their right to lodge a complaint with the ICO and a method to do so.
- Inform the Data Subject of any automated decision-making if and where Personal Data has been transferred and information on any safeguards in place.

The Federation of Sacred Heart and St Mary's does not charge a fee for Subject Access Requests (SARs).

Complaints against Subject Access Requests (SARs)

Individuals that wish to make a complaint about the handling of their Subject Access Request (SAR) can raise a concern with the Data Protection Officer. They also have a right to raise their concern with the Information Commissioner's Office. Any Subject Access Request (SAR) concern received by a school employee must be forwarded to the Data Protection Officer immediately.

Subject Access Requests Form

Schools: St Mary's RC Primary School, 7 St Joseph's Street, Battersea, SW8 4EN Date:

Sacred Heart RC Primary, Este Road, Battersea, SW11 2TD Date:

Re: Subject Access Request

Dear Mr Brading,

Please provide me with the information about me that I am entitled to under the Data Protection Act 2018 and General Data Protection Regulation (UK GDPR).

This is so I can be aware of the information you are processing about me, and verify the lawfulness of the processing.

Here is the necessary information:

Name	
Relationship with the school	**Please select:** Pupil / parent / employee / governor / volunteer **Other (please specify):**
Correspondence Address	
Contact Number	
Email Address	
Details of the information requested	**Please provide me with:** *Insert details of the information you want that will help us to locate the specific information.* ***Please be as precise as possible, for example:*** ○ *Your personnel file* ○ *Your child's medical records* ○ *Your child's behaviour record, held by [insert class teacher]* ○ *Emails between 'A' and 'B' between [date]*

If you need any more information from me, please let me know as soon as possible.

Please bear in mind that under the UK GDPR you cannot charge a fee to provide this information, and in most cases, must supply me with the information within 1 month.

If you need any advice on dealing with this request, you can contact the Information Commissioner's Office on 0303 123 1113 or at www.ico.org.uk

Yours sincerely,

Name

Appendix B

School Data Breach Procedure

Data Protection - Data Breach Procedure for The Federation of Sacred Heart and St Mary's.

Policy Statement

The Federation of Sacred Heart and St Mary's holds large amounts of personal and sensitive data. Every care is taken to protect personal data and to avoid a data protection breach. In the event of data being lost or shared inappropriately, it is vital that appropriate action is taken to minimise any associated risk as soon as possible. This procedure applies to all personal and sensitive data held by The Federation of Sacred Heart and St Mary's and all school staff, Governors, volunteers and contractors, referred to herein after as 'staff'.

Purpose

This breach procedure sets out the course of action to be followed by all staff at The Federation of Sacred Heart and St Mary's if a data protection breach takes place.

Legal Context

Article 33 of the General Data Protection Regulations
Notification of a Personal Data Breach to the Supervisory Authority

1. In the case of a personal data breach, the controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority competent in accordance with Article 55, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the supervisory authority is not made within 72 hours, it shall be accompanied by reasons for the delay.
2. The processor shall notify the controller without undue delay after becoming aware of a personal data breach.
3. **The notification referred to in paragraph 1 shall at least:**
    - Describe the nature of the personal data breach including where possible, the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned;
    - Communicate the name and contact details of the data protection officer or other contact point where more information can be obtained;
    - Describe the likely consequences of the personal data breach;
    - Describe the measures taken or proposed to be taken by the controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.
4. Where, and in so far as, it is not possible to provide the information at the same time, the information may be provided in phases without undue further delay.
5. The controller shall document any personal data breaches, comprising the facts relating to the personal data breach, its effects and the remedial action taken. That documentation shall enable the supervisory authority to verify compliance with this Article.

Types of Breach

Data protection breaches could be caused by a number of factors. A number of examples are shown below:

- Loss or theft of pupil, staff or governing body data and/ or equipment on which data is stored;
- Inappropriate access controls allowing unauthorised use;
- Equipment Failure;
- Poor data destruction procedures;
- Human Error;
- Cyber-attack;
- Hacking.

Managing a Data Breach

In the event that the School identifies or is notified of a Personal Data Breach, the following steps should be followed:

- The person who discovers/receives a report of a breach must inform the Headteacher or, in their absence, either the Deputy Headteacher and the School's Data Protection Officer (DPO). If the breach occurs or is discovered outside normal working hours, this should begin as soon as is practicable.

- The Headteacher/DPO (or nominated representative) must ascertain whether the breach is still occurring. If so, steps must be taken immediately to minimise the effect of the breach. An example might be to shut down a system, or to alert relevant staff such as the IT technician.

- The Headteacher/DPO (or nominated representative) must inform the Chair of Governors as soon as possible. As a registered Data Controller, it is the school's responsibility to take the appropriate action and conduct any investigation.

- The Headteacher/DPO (or nominated representative) must also consider whether the Police need to be informed. This would be appropriate where illegal activity is known or is believed to have occurred, or where there is a risk that illegal activity might occur in the future. In such instances, advice from the School's legal support should be obtained.

- The Headteacher/DPO (or nominated representative) must quickly take appropriate steps to recover any losses and limit the damage.

Steps might include:

a. Attempting to recover lost equipment.

b. The use of back-ups to restore lost/damaged/stolen data.

c. If bank details have been lost/stolen, consider contacting banks directly for advice on preventing fraudulent use.

d. If the data breach includes any entry codes or IT system passwords, then these must be changed immediately and the relevant agencies and members of staff informed.

Investigation

In most cases, the next stage would be for the DPO (or nominated representative) to fully investigate the breach. The DPO (or nominated representative) should ascertain whose data was involved in the breach, the potential effect on the data subject and what further steps need to be taken to remedy the situation.

The Investigation should consider:

- The type of data;
- Its sensitivity;
- What protections were in place (e.g. encryption);
- What has happened to the data;
- Whether the data could be put to any illegal or inappropriate use;
- How many people are affected;
- What type of people have been affected (pupils, staff members, suppliers etc.) and whether there are wider consequences to the breach.

A clear record should be made of the nature of the breach and the actions taken to mitigate it. The investigation should be completed as a matter of urgency due to the requirements to report notifiable personal data breaches to the Information Commissioner's Office. A more detailed review of the causes of the breach and recommendations for future improvements can be done once the matter has been resolved.

Notification

Some people/agencies may need to be notified as part of the initial containment. However, the decision will normally be made once an initial investigation has taken place. The DPO (or nominated representative) should, after seeking expert or legal advice, decide whether anyone is notified of the breach. In the case of significant breaches, the Information Commissioner's Office (ICO) must be notified within 72 hours of the breach. Every incident should be considered on a case by case basis.

When notifying individuals, give specific and clear advice on what they can do to protect themselves and what the School is able to do to help them. You should also give them the opportunity to make a formal complaint if they wish (see the School's Complaints Procedure). The notification should include a description of how and when the breach occurred and what data was involved. Include details of what you have already done to mitigate the risks posed by the breach

Review and Evaluation

Once the initial aftermath of the breach is over, the DPO (or nominated representative) should fully review both the causes of the breach and the effectiveness of the response to it. It should be reported to the next available Senior Management Team and Full Governors meeting for discussion. If systemic or ongoing problems are identified, then an action plan must be drawn up to put this right. If the breach warrants a disciplinary investigation, the manager leading the investigation should liaise with Human Resources or Internal Audit for advice and guidance. This breach procedure may need to be reviewed after a breach or after legislative changes, new case law or new guidance.

Implementation

The Headteacher/DPO should ensure that staff are aware of the School's Data Protection policy and its requirements including this breach procedure. This should be undertaken as part of induction, supervision and ongoing training. If staff have any queries in relation to the School's Data Protection policy and associated procedures, they should discuss this with their line manager, DPO or the Headteacher.

Data Breach Reporting Form

Please complete the form below to notify the Data Protection Officer of a Data Protection Breach, and email to Gary Hipple: ghipple@wandsworth.gov.uk

	Report prepared by: **Date:** **On behalf of:**	The Federation of Sacred Heart and St Mary's
1	**Summary of the event and circumstances:**	
2	**Type and amount of data (personal/staff, student, parental/carer):**	
3	**Actions taken to retrieve the information and minimise the effect of the breach:**	
4	**Details of notification to affected data subject:** **(if applicable)** **Has a complaint been received from the affected data subject?**	
5	**Breach of procedure / policy by staff member:**	
6	**Details of Data Protection training provided/taken:**	
7	**Any procedure changes required to reduce risks of future data loss:**	
8	**Conclusion:**	