LYMM HIGH SCHOOL

Data Protection Policy (GDPR)

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Lymm High School
Data Protection Policy

This policy in drafted in accordance with the requirements of the General Data Protection Regulation ("GDPR").

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1 Policy statement

1.1 Everyone has rights with regard to the way in which their **personal data** is handled. During the course of our activities as Lymm High School we will collect, store and **process personal data** about our pupils, **workforce**, parents and others. This makes us a **data controller** in relation to that **personal data**.

1.2 We are committed to the protection of all **personal data** and **special category personal data** for which we are the **data controller**.

1.3 The law imposes significant fines for failing to lawfully **process** and safeguard **personal data** and failure to comply with this policy may result in those fines being applied.

1.4 All members of our **workforce** must comply with this policy when **processing personal data** on our behalf. Any breach of this policy may result in disciplinary or other action.

1.5 New employees will receive induction training, including GDPR, prior to accessing personal data. They must complete the online GDPR training module within one month of their start date and all staff will receive regular refresher training via the annual online training and reminders from the DPO.

2 About this policy

2.1 The types of **personal data** that we may be required to handle include information about pupils, parents, our **workforce**, and others that we deal with. The **personal data** which we hold is subject to certain legal safeguards specified in the General Data Protection Regulation ('**GDPR**'), the Data Protection Act 2018, and other regulations (together '**Data Protection Legislation**').

2.2 This policy and any other documents referred to in it set out the basis on which we will **process** any **personal data** we collect from **data subjects**, or that is provided to us by **data subjects** or other sources.

2.3 This policy does not form part of any employee's contract of employment and may be amended at any time.

2.4 This policy sets out rules on data protection and the legal conditions that must be satisfied when we process **personal data**.

3 Definition of data protection terms

3.1 All defined terms in this policy are indicated in **bold** text, and a list of definitions is included in the Annex to this policy.

4 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.

4.1 Governing board

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

4.2 Data protection officer (DPO)

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 governing board 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.

4.3 Headteacher

The headteacher acts as the representative of the data controller on a day-to-day basis.

4.4 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 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 UK
    - 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

5 Data protection principles

5.1 Anyone **processing personal data** must comply with the data protection principles. These provide that **personal data** must be:

5.1.1 **processed** fairly and lawfully and transparently in relation to the **data subject**

5.1.2 **processed** for specified, lawful purposes and in a way which is not incompatible with those purposes

5.1.3 adequate, relevant and not excessive for the purpose

5.1.4 accurate and up to date

5.1.5 not kept for any longer than is necessary for the purpose

5.1.6 **processed** securely using appropriate technical and organisational measures.

5.2 **Personal data** must also:

5.2.1 be **processed** in line with **data subjects'** rights

5.2.2 not be transferred to people or organisations situated in other countries without adequate protection.

5.3 We will comply with these principles in relation to any **processing** of **personal data** by Lymm High School.

6 **Fair and lawful processing**

6.1 Data Protection Legislation is not intended to prevent the **processing** of **personal data**, but to ensure that it is done fairly and without adversely affecting the rights of the **data subject**.

6.2 For **personal data** to be **processed** fairly, **data subjects** must be made aware:

6.2.1 that the **personal data** is being **processed**

6.2.2 why the **personal data** is being **processed**

6.2.3 what the lawful basis is for that **processing** (see below)

6.2.4 whether the **personal data** will be shared, and if so with whom

6.2.5 the period for which the **personal data** will be held

6.2.6 the existence of the **data subject's** rights in relation to the **processing** of that **personal data**

6.2.7 the right of the **data subject** to raise a complaint with the Information Commissioner's Office in relation to any **processing**.

6.3 We will only obtain such **personal data** as is necessary and relevant to the purpose for which it was gathered, and will ensure that we have a lawful basis for any **processing**.

6.4 For **personal data** to be **processed** lawfully, it must be **processed** on the basis of one of the legal grounds set out in the Data Protection Legislation. We will normally **process personal data** under the following legal grounds:

6.4.1 where the **processing** is necessary for the performance of a contract between us and the **data subject**, such as an employment contract

6.4.2 where the **processing** is necessary to comply with a legal obligation that we are subject to, (e.g. the Education Act 2011)

6.4.3 where the law otherwise allows us to **process** the **personal data** or we are carrying out a task in the public interest

6.4.4 where none of the above apply then we will seek the consent of the **data subject** to the **processing** of their **personal data.**

6.5 When **special category personal data** is being processed then an additional legal ground must apply to that processing. We will normally only **process special category personal data** under following legal grounds:

6.5.1 where the **processing** is necessary for employment law purposes, for example in relation to sickness absence

6.5.2 where the **processing** is necessary for reasons of substantial public interest, for example for the purposes of equality of opportunity and treatment

6.5.3 where the **processing** is necessary for health or social care purposes, for example in relation to pupils with medical conditions or disabilities

6.5.4 where none of the above apply then we will seek the consent of the **data subject** to the **processing** of their **special category personal data**.

6.6 We will inform **data subjects** of the above matters by way of appropriate privacy notices which shall be provided to them when we collect the data or as soon as possible thereafter, unless we have already provided this information such as at the time when a pupil joins us.

6.7 If any **data user** is in doubt as to whether they can use any **personal data** for any purpose then they must contact the DPO before doing so.

Vital Interests

6.8 There may be circumstances where it is considered necessary to **process personal data** or **special category personal data** in order to protect the vital interests of a **data subject**. This might include medical emergencies where the **data subject** is not in a position to give consent to the **processing**. We believe that this will only occur in very specific and limited circumstances. In such circumstances we would usually seek to consult with the DPO in advance, although there may be emergency situations where this does not occur.

Consent

6.9 Where none of the other bases for **processing** set out above apply then the school must seek the consent of the **data subject** before **processing** any **personal data** for any purpose.

6.10 There are strict legal requirements in relation to the form of consent that must be obtained from **data subjects**.

6.11 When pupils and or our **workforce** join the Academy, a consent form will be required to be completed in relation to them. This consent form deals with the taking and use of photographs and videos of them, among other things. Where appropriate third parties may also be required to complete a consent form.

6.12 In relation to all pupils under the age of 12 years old we will seek consent from an individual with parental responsibility for that pupil.

6.13 We will generally seek consent directly from a pupil who has reached the age of 12, however we recognise that this may not be appropriate in certain circumstances and therefore may be required to seek consent from an individual with parental responsibility.

6.14 If consent is required for any other **processing** of **personal data** of any **data subject** then the form of this consent must:

6.14.1 inform the **data subject** of exactly what we intend to do with their **personal data**

6.14.2 require them to positively confirm that they consent – we cannot ask them to opt-out rather than opt-in

6.14.3 inform the **data subject** of how they can withdraw their consent.

6.15 Any consent must be freely given, which means that we cannot make the provision of any goods or services or other matter conditional on a **data subject** giving their consent.

6.16 The DPO must always be consulted in relation to any consent form before consent is obtained.

6.17 A record must always be kept of any consent, including how it was obtained and when.

7 Processing for limited purposes

7.1 In the course of our activities as Lymm High School, we may collect and **process** the **personal data** set out in our Schedule of Processing Activities. This may include **personal data** we receive directly from a **data subject** (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and **personal data** we receive from other sources (including, for example, local authorities, other schools, parents, other pupils or members of our **workforce**).

7.2 We will only **process personal data** for the specific purposes set out in our Schedule of Processing Activities or for any other purposes specifically permitted by Data Protection Legislation or for which specific consent has been provided by the data subject.

8 Notifying data subjects

8.1 If we collect **personal data** directly from **data subjects**, we will inform them about:

8.1.1 our identity and contact details as d**ata controller** and those of the DPO

8.1.2 the purpose or purposes and legal basis for which we intend to **process** that **personal data**

8.1.3 the types of third parties, if any, with which we will share or to which we will disclose that **personal data**

8.1.4 whether the **personal data** will be transferred outside the European Economic Area (**EEA**) and if so the safeguards in place

8.1.5 the period for which their **personal data** will be stored, by reference to our Retention and Destruction Policy

8.1.6 the existence of any automated decision making in the **processing** of the **personal data** along with the significance and envisaged consequences of the **processing** and the right to object to such decision making

8.1.7 the rights of the **data subject** to object to or limit processing, request information, request deletion of information or lodge a complaint with the ICO.

8.2 Unless we have already informed **data subjects** that we will be obtaining information about them from third parties (for example in our privacy notices), then if we receive **personal data** about a **data subject** from other sources, we will provide the **data subject** with the above information as soon as possible thereafter, informing them of where the **personal data** was obtained from.

9 Adequate, relevant and non-excessive processing

9.1 We will only collect **personal data** to the extent that it is required for the specific purpose notified to the **data subject**, unless otherwise permitted by Data Protection Legislation.

10 Accurate data

10.1 We will ensure that **personal data** we hold is accurate and kept up to date and maintain a data audit document which is reviewed at least annually by the DPO.

10.2 We will take reasonable steps to destroy or amend inaccurate or out-of-date data.

10.3 **Data subjects** have a right to have any inaccurate **personal data** rectified. See further below in relation to the exercise of this right.

11 Timely processing

11.1 We will not keep **personal data** longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all **personal data** which is no longer required.

12 Processing in line with data subject's rights

12.1 We will **process** all **personal data** in line with **data subjects'** rights, in particular their right to:

12.1.1 request access to any **personal data** we hold about them

12.1.2 object to the **processing** of their **personal data**, including the right to object to direct marketing

12.1.3 have inaccurate or incomplete **personal data** about them rectified

12.1.4 restrict **processing** of their **personal data**

12.1.5 have **personal data** we hold about them erased

12.1.6 have their **personal data** transferred

12.1.7 object to the making of decisions about them by automated means.

The Right of Access to Personal Data

12.2 **Data subjects** may request access to all **personal data** we hold about them. Such requests will be considered in line with the schools Subject Access Request Procedure, and can be made verbally or in writing to a member of staff within the organisation.

The Right to Object

12.3 In certain circumstances **data subjects** may object to us **processing** their **personal data**. This right may be exercised in relation to **processing** that we are undertaking on the basis of a legitimate interest or in pursuit of a statutory function or task carried out in the public interest.

12.4 An objection to **processing** does not have to be complied with where the school can demonstrate compelling legitimate grounds which override the rights of the **data subject**.

12.5 Such considerations are complex and must always be referred to the DPO upon receipt of the request to exercise this right.

12.6 In respect of direct marketing any objection to **processing** must be complied with.

12.7 The Academy is not however obliged to comply with a request where the **personal data** is required in relation to any claim or legal proceedings.

The Right to Rectification

12.8 If a **data subject** informs the Academy that **personal data** held about them by the Lymm High School is inaccurate or incomplete then we will consider that request and provide a response within one month.

12.9 If we consider the issue to be too complex to resolve within that period then we may extend the response period by a further two months. If this is necessary then we will inform the **data subject** within one month of their request that this is the case.

12.10 We may determine that any changes proposed by the **data subject** should not be made. If this is the case then we will explain to the **data subject** why this is the case. In those circumstances we will inform the **data subject** of their right to complain to the Information Commissioner's Office at the time that we inform them of our decision in relation to their request.

The Right to Restrict Processing

12.11 **Data subjects** have a right to 'block' or suppress the **processing** of **personal data**. This means that the Academy can continue to hold the **personal data** but not do anything else with it.

12.12 The Academy must restrict the **processing** of **personal data**:

12.12.1 where it is in the process of considering a request for **personal data** to be rectified (see above)

12.12.2 where the Academy is in the process of considering an objection to processing by a **data subject**

12.12.3 where the **processing** is unlawful but the **data subject** has asked the Academy not to delete the **personal data**

12.12.4 where the Academy no longer needs the **personal data** but the **data subject** has asked the Academy not to delete the **personal data** because they need it in relation to a legal claim, including any potential claim against the Lymm High School .

12.13 If the Academy has shared the relevant **personal data** with any other organisation then we will contact those organisations to inform them of any restriction, unless this proves impossible or involves a disproportionate effort.

12.14 The DPO must be consulted in relation to requests under this right.

The Right to Be Forgotten

12.15 **Data subjects** have a right to have **personal data** about them held by the Academy erased only in the following circumstances.

12.15.1 Where the **personal data** is no longer necessary for the purpose for which it was originally collected.

12.15.2 When a **data subject** withdraws consent – which will apply only where the Academy is relying on the individuals consent to the **processing** in the first place.

12.15.3 When a **data subject** objects to the **processing** and there is no overriding legitimate interest to continue that **processing** – see above in relation to the right to object.

12.15.4 Where the **processing** of the **personal data** is otherwise unlawful.

12.15.5 When it is necessary to erase the **personal data** to comply with a legal obligation.

The Academy is not required to comply with a request by a **data subject** to erase their **personal data** if the **processing** is taking place:

12.15.6 to exercise the right of freedom of expression or information

12.15.7 to comply with a legal obligation for the performance of a task in the public interest or in accordance with the law

12.15.8 for public health purposes in the public interest

12.15.9 for archiving purposes in the public interest, research or statistical purposes

12.15.10 in relation to a legal claim.

12.16 If the Academy has shared the relevant personal data with any other organisation then we will contact those organisations to inform them of any erasure, unless this proves impossible or involves a disproportionate effort.

12.17 The DPO must be consulted in relation to requests under this right.

Right to Data Portability

12.18 In limited circumstances a **data subject** has a right to receive their **personal data** in a machine readable format, and to have this transferred to other organisation.

12.19 If such a request is made then the DPO must be consulted.

13 Data security

13.1 We will take appropriate security measures against unlawful or unauthorised processing of **personal data**, and against the accidental loss of, or damage to, **personal data**.

13.2 We will put in place procedures and technologies to maintain the security of all **personal data** from the point of collection to the point of destruction.

13.3 Security procedures include:

13.3.1 **Entry controls.** Any stranger seen in entry-controlled areas should be reported to Reception who will then contact a member of SLT.

13.3.2 **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)

13.3.3 **Methods of disposal.** Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required. IT assets must be disposed of in accordance with the Information Commissioner's Office guidance on the disposal of IT assets.

13.3.4 **Equipment.** Data users must ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended.

13.3.5 **Working away from the school premises – paper documents.** In today's working world it is inevitable that staff will at times need to take work home with them. Marking books, etc, present a low risk as they contain little personal data**. However, documents which** contact a lot of personal data should be treated more carefully and advice should be sought from the Data Protection Officer.

Any work which is taken home should be kept in a closed folder and staff should include their name and contact details in case the folder is lost. It should be kept in a secure area of your home and at no time should staff leave any working documents in their car as this creates a higher risk of them being stolen.

Pupil records should never be taken home.

13.3.6 **Working away from the school premises – electronic working.** Users are encouraged to use remote desktop to prevent documents being taken offsite and the use of USB storage devices, while not explicitly blocked, is discouraged.

13.3.7 **Document printing.** Documents containing **personal data** must be collected immediately from printers and not left on photocopiers. At Lymm High School we have a secure printing system in that staff have to manually release their work from the photocopy machines which reduces the risk of anything personal being left at the copy machines.

13.4 Any member of staff found to be in breach of the above security measures may be subject to disciplinary action.

13.5 Any data breaches will be reviewed and reported to the ICO if they meet threshold, within published timeframes. Failure to report a breach can result in a significant fine. A data breach log will be maintained of all reported incidents and relevant refresher training delivered to staff.

14 Data Protection Impact Assessments

14.1 The Academy takes data protection very seriously, and will consider and comply with the requirements of Data Protection Legislation in relation to all of its activities whenever these involve the use of personal data, in accordance with the principles of data protection by design and default.

14.2 In certain circumstances the law requires us to carry out detailed assessments of proposed **processing**. This includes where we intend to use new technologies which might pose a high risk to the rights of **data subjects** because of the types of data we will be **processing** or the way that we intend to do so.

14.3 The Academy will complete an assessment of any such proposed **processing** and has a template document which ensures that all relevant matters are considered.

14.4 The DPO should always be consulted as to whether a data protection impact assessment is required, and if so how to undertake that assessment.

15 Disclosure and sharing of personal information

15.1 We may share **personal data** that we hold about **data subjects**, and without their consent, with other organisations. Such organisations include the Department for Education, Education and Skills Funding Agency, Ofsted, health authorities and professionals, the Local Authority, examination bodies, other schools, and other organisations where we have a lawful basis for doing so.

15.2 The Academy will inform **data subjects** of any sharing of their **personal data** unless we are not legally required to do so, for example where **personal data** is shared with the police in the investigation of a criminal offence.

15.3 In some circumstances we will not share safeguarding information. Please refer to our Child Protection Policy.

15.4 Further detail is provided in our Schedule of Processing Activities.

16 Data processors

16.1 We contract with various organisations who provide services to Lymm High School, including:

16.1.1

- McLintocks Ltd - Payroll Provider
- Teacher Pensions and Local Government Pensions
- Cunninghams – School Cashless Catering System
- Parent Pay – On-Line payment system
- SISRA – on-line pupil assessment tracking
- FFT – on-line pupil target setting system
- My Maths – on-line maths programme
- Schools Comms – text. Email and Parent App
- Bedrock Learning – English programme
- Eclipse – Library management system
- Evolve – Local Authority School Trips database
- Tassaomi – on-line science programme
- Microsoft Office 365 - cloud working platform

- Meditracker – First Aid Tracker
- Capita - SIMS MIS system
- Capita – FMS Financial System
- IRIS Financials

16.2 In order that these services can be provided effectively we are required to transfer **personal data** of **data subjects** to these **data processors**.

16.3 **Personal data** will only be transferred to a **data processor** if they agree to comply with our procedures and policies in relation to data security, or if they put in place adequate measures themselves to the satisfaction of Lymm High School. The Academy will always undertake due diligence of any **data processor** before transferring the **personal data** of **data subjects** to them.

16.4 Contracts with **data processors** will comply with Data Protection Legislation and contain explicit obligations on the **data processor** to ensure compliance with the Data Protection Legislation, and compliance with the rights of **Data Subjects**.

17 Images and videos

17.1 Parents and others attending Lymm High School events can take photographs and videos of those events for domestic purposes. For example, parents can take video recordings of a school performance involving their child. The Academy does not prohibit this as a matter of policy.

17.2 The Academy does not however agree to any such photographs or videos being used for any other purpose, but acknowledges that such matters are, for the most part, outside of the ability of Lymm High School to prevent.

17.3 The Academy asks that parents and others do not post any images or videos which include any child other than their own child on any social media or otherwise publish those images or videos.

17.4 As an Academy we want to celebrate the achievements of our pupils and therefore may want to use images and videos of our pupils within promotional materials, or for publication in the media such as local, or even national, newspapers covering school events or achievements. We will seek the consent of pupils, and their parents where appropriate, before allowing the use of images or videos of pupils for such purposes.

17.5 Whenever a pupil begins their attendance at Lymm High School they, or their parent where appropriate, will be asked to complete a consent form in relation to the use of images and videos of that pupil. We will not use images or videos of pupils for any purpose where we do not have consent.

CCTV

17.6 Lymm High School operates a CCTV system. Please refer to the CCTV Policy, responsibility for which has been delegated to the Staff & Student Wellbeing Committee.

18 Subject access requests

18.1 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
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- 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
- The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

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

If staff receive a subject access request in any form they must immediately forward it to the DPO.

18.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may not be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

18.3 Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made

- Will respond without delay and within 1 month of receipt of the request (or receipt of the additional information needed to confirm identity, where relevant)
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We may not disclose information for a variety of reasons, such as if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Would include another person's personal data that we can't reasonably anonymise, and we don't have the other person's consent and it would be unreasonable to proceed without it
- Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or exam scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

18.4 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
- Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Object to processing that has been justified on the basis of public interest, official authority or legitimate interests
- Challenge decisions based solely on automated decision making or profiling (i.e. making decisions or evaluating certain things about an individual based on their personal data with no human involvement)
- 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 DPO.

19 Parental requests to see the educational record

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

If the request is for a copy of the educational record, the school may charge a fee to cover the cost of supplying it.

This right applies as long as the pupil concerned is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

20 Biometric recognition systems

Note that in the context of the Protection of Freedoms Act 2012, a "child" means a person under the age of 18.

Where we use pupils' biometric data as part of an automated biometric recognition system (for example, pupils use facial recognition to receive school dinners instead of paying with cash, we will comply with the requirements of the Protection of Freedoms Act 2012.

Parents/carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The school will get written consent from at least 1 parent or carer before we take any biometric data from their child and first process it.

Parents/carers and pupils have the right to choose not to use the school's biometric system(s). We will provide alternative means of accessing the relevant services for those pupils. For example, pupils can pay for school dinners by the use of an individual pin number at each transaction if they wish

Parents/carers and pupils can withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil's parent(s)/carer(s).

Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

21 Changes to this policy

We may change this policy at any time. Where appropriate, we will notify **data subjects** of those changes.

ANNEX

DEFINITIONS

Term	Definition
Data	Information which is stored electronically, on a computer, or in certain paper-based filing systems.
Data Subjects	For the purpose of this policy include all living individuals about whom we hold personal data. This includes pupils, our workforce, staff, and other individuals. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
Personal Data	Any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
Data Controllers	The people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They are responsible for establishing practices and policies in line with Data Protection Legislation. We are the data controller of all personal data used in our business for our own commercial purposes.
Data Users	Those of our workforce (including governors and volunteers) whose work involves processing personal data. Data users must protect the data they handle in accordance with this data protection policy and any applicable data security procedures at all times.
Data Processors	Any person or organisation that is not a data user that processes personal data on our behalf and on our instructions.
Processing	Any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties.
Special Category Personal Data	Information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health or condition or sexual life, or genetic or biometric data.
Workforce	Includes any individual employed by Lymm High School such as staff and those who volunteer in any capacity including governors [and/or trustees / members/ parent helpers].