

The Bourne Partnership



Data Protection and Freedom of Information Policy

January 2026

Data Protection Officer:

Satswana Ltd, info@satswana.com; telephone number 01252 516898.

satswana

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1. Policy Statement

We must protect the data and information we hold on any individual and will do so in accordance with the law.

2. Definitions

Term	Definition
School	Is Hadlow and Shipbourne Primary Schools and its subsidiary organisations, and clubs, collectively referred to as the "School."
Department for Education (DFE)	is the government department which deals with education
Local Authority	is Kent County Council
Headteacher	is Miss Nicole Chapman (Hadlow) and Mrs Terri Daters (Shipbourne)
Chair of Governors (COG)	is Mrs Rebecca Morris-Tarry
Business Manager	Is Mrs Sophie Barrow (Hadlow only)
Data Protection Coordinator	Is Headteacher
Designated Safeguarding Lead (DSL)	Is SENCO/Sharon Vanns (Hadlow) and Headteacher (Shipbourne)
IT Representative	is Mr Brian Clark (Hadlow) and Mr Russell Willians (SNS – Shipbourne)
Schools Data Protection Officer (DPO)	is Satswana Ltd, Suite G12 Ferneberga House, Alexandra Road, Farnborough, GU14 6DQ. admin@satswana.com
Parents	is a Parent, Guardian or Carer who has parental responsibility for a child at the School.
Data Protection Act (DPA)	The Data Protection Act 2018 makes a provision about the processing of personal data, which is subject to GDPR, with an amendment in 2023.
Freedom of Information Act (FOI)	The Freedom of Information Act 2000 discloses information held by public authorities or persons providing services for them and amends the Data Protection Act.
UK General Data Protection Regulation (GDPR)	which applies across the European Union (including in the United Kingdom)
Educations Act (EA)	The Education Act 1996 consolidates the Education Act 1944 and certain other educational enactments.

Term	Definition
Information Commissioners Office (ICO)	This organisation ensures compliance with the Data Protection Act, Freedom of Information Act, and GDPR and handles formal complaints.
Personal Data	<p>Any information relating to an identified or identifiable living individual.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"> ● Name (including initials) ● Identification number ● Location data ● Online identifier, such as a username <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
Special categories of personal data	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none"> ● Racial or ethnic origin ● Political opinions ● Religious or philosophical beliefs ● Trade union membership ● Genetics ● Biometrics (such as fingerprints, retina and iris patterns), are used for identification purposes ● Health – physical or mental ● Sex life or sexual orientation
Serious Harm Test	is a legal threshold used to determine if a statement or action has caused significant negative consequences, particularly in relation to reputation, health, or financial standing. It's a key concept in defamation law, data protection, and child protection, among other areas
Processing	<p>Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p>
Data Subject	The identified or identifiable individual whose personal data is held or processed.

Term	Definition
Data Controller	means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of processing personal data.
Data Processor	means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the 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
Electronic Platform	An electronic platform is any means the school communicates. This could include, but is not limited to, Email, Online Portals, and Social Media platforms.
Sensitivity Labels	Are labels applied to electronic documents to support data protection within the school? The following labels are active: <ul style="list-style-type: none"> ● Highly Confidential – Does not leave the site. ● Confidential – Can leave the site but must be encrypted. ● General – Can leave the site. ● Personal – Discretion of the end user. ● Public – Is available to the public.

3. Aims & Objectives

This policy aims to provide a model set of guidelines to enable staff, parents, and children to understand:

- The law regarding personal data.
- How personal data should be processed, stored, archived, and deleted/destroyed.
- How staff, parents and children can access personal data.

Additionally, brief guidance on FOI is provided at the end of this policy, covering other information held by schools.

The policy's objective is to ensure that the school acts within the requirements of the DPA when retaining and storing personal data and making it available to individuals, and that responding to enquiries for other information is also legal under the FOI.

4. Legislation and Guidance

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2020
- Data Protection Act 2018 (DPA 2018)

It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and the DFE on Generative artificial intelligence in education.

It meets the requirements of the following:

- Protection of Freedoms Act 2012 when referring to our use of biometric data.
- For the use of surveillance cameras and personal information.

For maintained schools, pupil referral units (PRUs) and non-maintained special schools:

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

5. The Data Controller

Our school processes personal data relating to parents and carers, pupils, staff, governors, visitors, and others; therefore, it is a data controller. The school is registered with the ICO and has paid its data protection fee to the ICO, as required by law.

6. 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.

6.1. *Governing Body*

The governing board ensures that our school complies with all relevant data protection obligations.

6.2. *Data protection officer*

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

6.3. *Headteacher*

The Headteacher acts as the representative of the data officer on a day-to-day basis, but can delegate this responsibility to either the Business Manager or a Data Protection Coordinator.

6.4. *All staff*

Staff are responsible for:

- Collecting, storing and processing any personal data under this policy.
- Informing the school of any changes to their data, such as a change of address.
- Contacting the DPO in the following circumstances:
 - If you have any questions about the operation of this policy, data protection law, retaining personal data, or keeping personal data secure,
 - If they have any concerns about this policy 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 engage in a new activity, it may affect the privacy rights of individuals.
- If they need help with contracts or sharing personal data with third parties.

7. 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 required 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.

8. Collecting personal data

8.1. *Lawfulness, fairness and transparency*

We will only process personal data where we have 1 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 must be processed to ensure the vital interests of the individual or another person, i.e. 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 or exercise its official authority.
- The data needs to be processed for the legitimate interests of the school (where the processing is not for any tasks the school performs as a public authority) 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 explicit consent.

For special categories of personal data, we will also meet 1 of the special category conditions for processing under data protection law:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given explicit consent.
- The data must be processed to perform or exercise obligations or rights concerning employment, social security or social protection law.
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent.
- The data has already been made manifestly public by the individual.
- The data needs to be processed for the establishment, exercise or defence of legal claims.
- The data needs to be processed for substantial public interest as defined in legislation.
- The data needs to be processed for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- The data needs to be processed for public health reasons, and the processing is done by, or under the direction of, a health professional or any other person obliged to confidentiality under law.
- The data needs to be processed for archiving purposes, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest.

We will meet both a lawful basis and a condition set out under data protection law for criminal offence data. Conditions include:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given consent.
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent.
- The data has already been made manifestly public by the individual.
- The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- The data needs to be processed for substantial public interest as defined in legislation.

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

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect, or use personal data in ways which have unjustified adverse effects on them.

8.2. *Limitation, minimisation and accuracy*

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

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 necessary to do their jobs.

We will keep data accurate and, where necessary, up to date. Inaccurate data will be rectified or erased when appropriate.

In addition, when staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done under the school's record retention schedule.

9. Sharing personal data

We will not usually share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- 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 that can provide sufficient guarantees that they comply with UK data protection law.
 - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share.
 - Only share data that the supplier or contractor needs to deliver.

We will also share personal data with law enforcement and government bodies where we are legally required.

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

Where we transfer personal data internationally, we will do so under UK data protection law.

10. Subject access requests and other rights of individuals

10.1. 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 data is being processed
- Access to a copy of the data.
- The purposes of the data processing.
- The categories of personal data are concerned.
- Who has the data 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 complain is by following the school's complaint policy. If the outcome is unsatisfactory, you can contact 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 are 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.

10.2. Children and subject access requests

Personal data about a child belongs to that child, 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.

For primary schools:

Children under 13 are generally not considered 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 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.

For secondary schools:

Children aged 13 and above are generally 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. A pupil's ability to understand their rights will always be judged case-by-case, by a responsible person known to them in school.

10.3. Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide two forms of identification.
- May contact the individual via phone to confirm the request was made.
- Will respond without delay and within one month of receipt of the request (or receipt of the additional information needed to verify identity, where relevant).
- Will provide the information free of charge.
- May tell the individual we will comply within three months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within one 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 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 manifestly unfounded, excessive or vexatious, we may refuse to act on it or charge a reasonable fee to cover administrative costs. We will consider whether the request is repetitive 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 seek to enforce their subject access right through the courts.

10.4. Other data protection rights of the individual

In addition to the right to make a subject access request ([section 10](#)), and to receive information when we are collecting their data about how we use and process it (see [section 8](#)), individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their data (in certain circumstances)
- Prevent the use of their data for direct marketing
- Object to processing that has been justified based on 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 data with no human involvement)
- Be notified of a data breach (in certain circumstances)
- Make a complaint to the ICO
- Ask for their 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.

11. 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.

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 under eighteen.

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.

12. Biometric recognition systems (not in use)

13. Recordings

As a school we do not permit any recordings of a conversation, within the school setting or via any form of online communication.

If it is deemed necessary to record a conversation, it will be the decision of the school whether this will be permitted or not.

14. CCTV

We may use CCTV in various locations around the school site to ensure safety. We will follow the ICO's guidance for the use of CCTV and comply with data protection principles.

We do not need to ask individuals' permission to use CCTV, but we clarify where individuals are being recorded. Security cameras are visible and accompanied by prominent signs explaining that CCTV is in use.

Any enquiries about the CCTV system should be directed to the Data Protection Coordinator.

15. 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 picture and/or video will be used to both the parent/carer and the pupil.

Data protection legislation does not cover any photographs and videos taken by parents/carers at school events for their own personal use. However, we will ask that photos or videos with other pupils not be shared publicly on social media for safeguarding reasons unless all the relevant parents/carers agree.

Where we need parental consent, we will clearly explain how the Parent and the pupil will use the photograph and/or video. Where we don't need parental consent, we will clearly explain to the pupil how the picture and/or video will be used.

Data protection legislation does not cover any photographs and videos Parents took at school events for personal use. However, we will ask that photos or videos with other pupils not be shared publicly on social media for safeguarding reasons unless all the relevant Parents (or pupils where appropriate) agree to this.

All schools add and adapt to reflect your school's uses of photographs and videos for communication, marketing and promotional materials:

Where the school takes photographs and videos, uses may include:

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

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 this way, we will not accompany them with any other personal information about the child to ensure they cannot be identified.

16. Artificial Intelligence (AI)

AI tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT, Copilot and Google Gemini. The School recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data.

No one will be permitted to enter such data into unauthorised generative AI tools or chatbots to ensure that personal and sensitive data remains secure.

If personal and/or sensitive data is entered into an unauthorised generative AI tool, the School will treat this as a data breach and will follow the personal data breach procedure outlined in Appendix 1.

17. 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 suitable DPO and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge.
- Only personal data necessary for each specific purpose of processing should be processed, and it should always be in line with the data protection principles set out in the relevant data protection law (see [section 7](#)).
- Completing data protection impact assessments where the school's processing of personal data presents a high risk to the rights and freedoms of individuals, and when introducing new technologies that handle sensitive or special category data.
- A Processor List will be available for low or medium risk technologies that do not handle sensitive or special category data.
- Integrating data protection into internal documents, including this policy, any related policies and privacy notices.
- Biannually, staff members will be trained 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.
- Appropriate safeguards will be put in place if we transfer personal data outside the UK, where different data protection laws may apply.
- Maintaining records of our processing activities, including:
 - For the benefit of Data Subjects, we make available the name and contact details of our school and DPO and all information we must share about how we use and process their data (via our privacy notices).
 - For all Personal Data that we hold, we maintain an internal record of the type of data, type of Data Subject, how and why we are using the

data, any third-party recipients, any transfers outside of the UK and the safeguards for those, retention periods and how we are keeping the data secure.

18. Data security and storage of records

We will protect personal data and keep it safe from unauthorised 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 and hard drives that contain personal data, are kept under lock and key when not in use.
- Papers containing confidential personal data must not be left on office and classroom desks, staffroom tables, or anywhere else with general access.
- Where personal information needs to be taken off-site, staff must sign in and out from the school office.
- Passwords at least 10 characters long, containing letters and numbers, are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from different sites.
- Encryption software protects all portable devices and removable media, such as laptops and USB devices.
- Staff, pupils or governors who store personal information on their devices are expected to follow the same security procedures as for school-owned equipment [insert name of acceptable use policy]
- 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 (see [section 9](#))

19. Disposal of records

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

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

20. 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 in Appendix 2.

When appropriate, we will report the data breach to the ICO within 72 hours after becoming aware of it. Such violations in a school context may include, but are not limited to:

- A non-anonymised dataset published on the school website shows the exam results of pupils eligible for the pupil premium.
- Safeguarding information from being made available to an unauthorised person.

- The theft of a school laptop containing non-encrypted personal data about pupils.

21. Training

All staff and governors receive data protection training as part of their Continuing Professional Development (CPD), which includes updates on changes to legislation, guidance, or the school's processes.

22. Mental Health and Wellbeing

The School has an established culture that promotes and enhances the positive mental health of the whole school community. We recognise that healthy relationships underpin positive mental health and significantly impact learning, health, and well-being. We champion the expectation that 'mental health is the individual's responsibility, supported by the whole school community.' Because of this, where requests from a data subject are demonstrably manifestly unfounded or excessive, we may refuse to respond to a SAR.

23. Monitoring arrangements

The DPO is responsible for monitoring and reviewing this policy.

This policy will be reviewed annually and approved by the full governing board.