

PRIVACY NOTICES

Guidance for Schools 2009

The Information Commissioner has recommended that the term 'Fair Processing Notice' be replaced by 'Privacy Notice'. The DCSF is therefore adopting this approach in its data collections from now on, and has reviewed the whole process of issuing Privacy Notices.

In the past, the suggested text has included the use of school information made available by the LA or the DCSF. However, the new process will mean much simpler Privacy Notices, where details of any organisations with which the LA and DCSF share data are contained on the LA and DCSF websites, with links from the Privacy Notices. This means that Privacy Notices do not need reissuing on an annual basis. The aim is to make the Privacy Notices issued to children and staff general and constant. Any changes to the details of organisations with which school or LA data is shared can be updated on the LA and DCSF websites.

The new approach is that a single, short and easily understandable Privacy Notice can be provided to pupils and staff by the school or LA at the same time as other communications that they issue. For example:

- A pupil might receive the Privacy Notice as part of a school brochure or induction pack, or in a school diary, and it could be posted on the school notice board.

It is anticipated that staff, and young people over the age of 12 with the maturity to make their own decisions, should generally be able to request to see their personal information themselves under the Subject Access Provisions (S.7) of the Data Protection Act. For young people under 12, their parents will act on their behalf. In any event, it will be for the school, as data controller, to assess whether the child is capable of understanding the personal information in question, and so decide whether the parent needs to make the request on the child's behalf.

What are the benefits?

By providing complete and accurate data through the schools' census data collections and data exchange, we can relieve the burden to schools of other data collections. For example we are able to provide data direct to Connexions on behalf of schools. It also enables the Local Authority (LA), Ofsted and Fischer Family Trust to provide schools with accurate and timely contextual management information reports and target setting data.

Action for all Schools:

- Add your school name and school administrator details into the privacy notice.
- The privacy notice must be issued to **all current pupils age 13 and over, and to parents of all pupils**, even if they have previously been issued with a privacy notice (formerly FPN). You may find it helpful to attach the privacy notice to your data checking sheets when these are issued to parents and pupils in the autumn term.
- The privacy notice should be issued whenever a new pupil joins the school as part of the enrolment process.
- Publish the privacy notice on your school website and advise parents where they can obtain a copy. The school should provide a printed copy if requested.
- Provide the workforce privacy notice to all members of school staff.
- The privacy notices may also be included in other communications, for example the school prospectus, newsletters, governors' reports to parents and the school website.

Secondary Schools only:

- Inset name of school administrator on second page of privacy notice.
- Issue the privacy notice to all pupils age 16 to draw their attention that the right under the Learning and Skills Act to opt out of passing information over and above name and address to Connexions passes from the parent to the pupil at that age.

Privacy Notice documents can be found on our website at:

<http://www2.wokingham.gov.uk/children-youth-education/school-learning-community/school-leadership/data/privacy-notices>

Information for parents or carers is also available on the Wokingham public website at :

<http://www.wokingham.gov.uk/children-youth-education/schools-colleges/data-protection-privacy-notices/>

If you have any queries, please contact:

Schools' Census :

Adam Pfeiffer on **0118 974 6784** or by email to perf.data@wokingham.gov.uk

Schools' Workforce Census :

Jenny Walter on 0118 974 6110 or by email to jenny.walter@wokingham.gov.uk

Early Years Census :

Janet Steer on 0118 974 6181 or by email to janet.steer@wokingham.gov.uk