

Privacy Notice Procedure

Title	Privacy Notice Procedure
Author/Owner	Louise Regan – Head Teacher
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1. Introduction

2. Policy References

2.1. This procedure is a requirement of the following policies:

- Data Protection Policy

3. Privacy Notices

3.1. Where personal data is being obtained for us to process, whether from the Data Subject or a third party, then a Privacy Notice must be made available to provide assurance to the Data Subject over the legitimacy of the processing and what will be involved.

3.2. The law requires Notices to be concise, transparent, intelligible and easily accessible by the Data Subject. It should be written in clear and plain language, particularly if addressed to a child.

3.3. There must be no charge made to a Data Subject in order for them to be given access to a Notice

3.4. The details that a Notice must contain are as follows:

3.4.1. The Identity and contact details of the Data Controller, any Data Processors (if applicable) and the name of the responsible Data Protection Officer

3.4.2. The purpose of processing and the legal basis supporting the processing

3.4.3. (Where applicable) The legitimate Interests of the Data Controller or 3rd Party

3.4.4. Any third party recipient (or categories of recipients) of the data

3.4.5. Any transfers to 3rd countries (i.e. outside the European Economic Area) and details of the adequate safeguards in place to secure the data and the Data Subject's rights.

3.4.6. The retention period (or the criteria to be used to determine one) at the end of which it will no longer be necessary to process the data.

3.4.7. Which of the Data Subject's rights will be applicable to the processing (or confirm that all rights are applicable)

3.4.8. (If consent is being relied upon) Advise the Data Subject of their right to withdraw consent at any time

3.4.9. Advise the Data Subject of their right to lodge a complaint with the Information Commissioner's Office if they have concerns over the processing

3.4.10. Make the Data Subject aware of any automated decision making/ profiling being undertaken as a part of the processing and information about:

- How decisions based on the data are made,
- The significance and consequences of the decisions.

3.4.11. (Where data is obtained directly from the Data Subject):

- The specific statutory/ contractual requirement/ obligation
- The consequences of not providing personal data

3.4.12. (Where data is not obtained directly from the data subject)

- Where the data is coming from and whether this is from publicly accessible sources
- The categories of personal data

3.5. The Notice must be available to the Data Subject:

Criteria		Action
if the data is being obtained directly from the Data Subject		At the time data is obtained
if the data is not being obtained directly from the Data Subject...	(no additional criteria)	Within a reasonable period of having obtained the data (within one month)
	...AND if data is to be used to communicate with the Data Subject	<i>At the latest</i> , when the first communication takes place
	...AND is to be disclosed to a third party	<i>At the latest</i> , before the data is disclosed.

4. Advice and Support

4.1. If you have any issues over the clarity of these procedures, how they should be applied in practice, require advice about exemptions from the requirements or have any suggestions for amendments, please contact Chris Gibbon Data Protection Office at dpo@hillocks.notts.sch.uk

5. Breach Statement

5.1. A breach of this procedure is a breach of Information Policy. Breaches will be investigated and may result in disciplinary action. Serious breaches of Policy may be considered gross misconduct and result in dismissal without notice, or legal action being taken against you.