



Privacy Procedure GDPR_DOC_2.1

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Policy type	Primary School
Policy prepared by (name and designation)	Mandy Denton Office Manager
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Document Owner & Approval

The Data Protection Officer is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the review requirements stated above.

A current version of this document is available to all members of staff on the school's Shared Area.

This manual was approved by the Governing Body on 15th May 2019 and is issued on a version controlled basis under the signature of GDPR Director.

Signature:

Date:

1. Scope

All processing of personal data by Red Hall Primary School is within the scope of this procedure.

2. Responsibilities

- 2.1 The DPO Service (DPO) is responsible for ensuring that the privacy notice(s) is correct and that mechanisms exist such as having the Privacy Notice(s) on Red Hall Primary School website to make all data subjects aware of the contents of this notice prior Red Hall Primary School commencing collection of their data.
- 2.2 All staff that need to collect personal data are required to follow this procedure.

3. Procedure Article 12

- 3.1 Red Hall Primary School identifies the legal basis for processing personal data before any processing operations take place by clearly establishing, defining and documenting:
 - 3.1.1 the specific purpose of processing the personal data and the legal basis to process the data under:
 - 3.1.1.1 consent obtained from the data subject;
 - 3.1.1.2 performance of a contract where the data subject is a party;
 - 3.1.1.3 legal obligation that Red Hall Primary School is required to meet;
 - 3.1.1.4 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.1.5 official authority of Red Hall Primary School or to carry out the processing that is in the public interest;
 - 3.1.1.6 necessary for the legitimate interests of the data controller or third party, unless the processing is overridden by the vital interests, including rights and freedoms;
 - 3.1.1.7 national law.
 - 3.1.2 any special categories of personal data processed and the legal basis to process the data under:
 - 3.1.2.1 explicit consent obtained from the data subject;
 - 3.1.2.2 necessary for employment rights or obligations;
 - 3.1.2.3 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.2.4 necessary for the legitimate activities with appropriate safeguards;
 - 3.1.2.5 personal data made public by the data subject;
 - 3.1.2.6 legal claims;
 - 3.1.2.7 substantial public interest;
 - 3.1.2.8 preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, provision of health or social care treatment, or management of health and social

- care systems and services, under the basis that appropriate contracts with health professionals and safeguards are in place;
 - 3.1.2.9 public health, ensuring appropriate safeguards are in place for the protection of rights and freedoms of the data subject, or professional secrecy;
 - 3.1.2.10 national laws in terms of processing genetic, biometric or health data.
- 3.2 Red Hall Primary School records this information in line with its data protection impact assessment and data inventory.

4. Privacy notices

- 4.1 When personal data collected from data subject with consent
 - 4.1.1 Red Hall Primary School is transparent in its processing of personal data and provides the data subject with the following:
 - 4.1.1.1 Red Hall Primary School identity, and contact details of the DPO Service (DPO) and any data protection representatives;
 - 4.1.1.2 The purpose(s), including legal basis, for the intended processing of personal data (clause 4.2 below);
 - 4.1.1.3 Where relevant, Red Hall Primary School legitimate interests that provide the legal basis for the processing;
 - 4.1.1.4 Potential recipients of personal data;
 - 4.1.1.5 Any information regarding the intention to disclose personal data to third parties and whether it is transferred outside the EU. In such circumstances, Red Hall Primary School will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards;
 - 4.1.1.6 If Red Hall Primary School is based outside of the EU and the data subject resides within it (the EU), Red Hall Primary School provides the data subject with contact details of a data protection representative in the EU;
 - 4.1.1.7 Any information on website technologies used to collect personal data about the data subject;
 - 4.1.1.8 Any other information required to demonstrate that the processing is fair and transparent such as:
 - 4.1.1.8.1 Retention
 - 4.1.1.8.2 Data subjects right to access
 - 4.1.1.8.3 Right to lodge complaint
 - 4.1.1.8.4 Right to withdraw consent
 - 4.1.2 All information provided to the data subject is in an easily accessible format, using clear and plain language, especially for personal data addressed to a child.
 - 4.1.3 Red Hall Primary School facilitates the data subject's rights in line with the data protection policy ([GDPR DOC 1.0](#)) and the subject access request procedure ([GDPR DOC 2.2](#)).

- 4.1.4 Privacy notice for this personal data processing is recorded ([GDPR REC 4.1](#))
- 4.2 When data is contractually required for processing
 - 4.2.1 Red Hall Primary School processes data without consent in order to fulfil contractual obligations.
 - 4.2.2 Privacy notice for this personal data processing is recorded ([GDPR REC 4.1](#))
- 4.3 When personal data has been obtained from a source other than the data subject
 - 4.3.1 Red Hall Primary School makes clear the types of information collected as well as the source of the personal data (publicly accessible sources) and provides the data subject with:
 - 4.3.1.1 Red Hall Primary School (data controller) identity, and contact details of the DPO Service (DPO) and any data protection representatives;
 - 4.3.1.2 The purpose(s), including legal basis, for the intended processing of personal data;
 - 4.3.1.3 Categories of personal data;
 - 4.3.1.4 Potential recipients of personal data;
 - 4.3.1.5 Any information regarding disclosing personal data to third parties and whether it is transferred outside the EU – Red Hall Primary School will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards;
 - 4.3.1.6 Any other information required to demonstrate that the processing is fair and transparent such as:
 - 4.3.1.6.1 Retention
 - 4.3.1.6.2 Data subjects right to access
 - 4.3.1.6.3 Right to lodge complaint
 - 4.3.1.6.4 Right to withdraw consent
 - 4.3.1.7
 - 4.3.2 Privacy notice for this personal data processing is recorded (GDPR REC 4.1)
- 5.**
- 5.1 Red Hall Primary School provides the information stated in clauses 3 and 4 above within:
 - 5.1.1 one month of obtaining the personal data, in accordance with the specific circumstances of the processing;
 - 5.1.2 at the first instance of communicating in circumstances where the personal data is used to communicate with the data subject;
 - 5.1.3 when personal data is first disclosed in circumstances where the personal data is disclosed to another recipient.
- 5.2 Clauses 3 and 4 above do not apply:
 - 5.2.1 If the data subject already has the information;
 - 5.2.2 If the provision of the above information proves impossible or would involve an excessive effort;

- 5.2.3 If obtaining or disclosure of personal data is expressly identified by Member State law; or if personal data must remain confidential subject to an obligation of professional secrecy regulated by Member State law, including a statutory obligation of secrecy.

Policy Review Date: Summer 2023