



Publication Scheme
(Freedom of Information
and Data Protection Policy)
and Procedure

Passed and adopted by Governing Body:

Signed

Dated.....

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Publication Scheme (Freedom of Information and Data Protection Policy) and Procedure

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1. Purpose

The purpose of this policy and procedure is to ensure compliance by Stockingford Early Years Centre with all of its obligations as set out in the ICO Publications Scheme and the Data Protection and Freedom of Information legislation.

2. Data Controller

The Centre is the Data Controller as defined in the Data Protection Act 1998.

3. Notification with the Information Commissioner's Office (ICO)

The Centre is registered with the ICO and will renew the registration annually. In addition, if the Centre introduces any new purposes for processing personal information, such as the installation of CCTV, then it will notify the ICO, by e-mail at notification@ico.gsi.gov.uk, requesting that the new purpose be included in the registration.

4. Definitions

4.1 Personal data is information that relates to an identifiable living individual that is processed as data. Processing means collecting, using, disclosing, retaining, or disposing of information. The data protection principles apply to all information held electronically or in structured files that tells you something about an identifiable living individual. The principles also extend to all information in education records. Examples would be names of staff and pupils, dates of birth, addresses, national insurance numbers, assessments, medical information, SEN assessments and staff development reviews.

4.2 Sensitive personal data is information that relates to race and ethnicity, religious beliefs, membership of trade unions, physical or mental health, sexuality and criminal offences. There are greater legal restrictions on processing sensitive personal data than there are on personal data.

5 Data Protection Principles

The eight core principles of the Data Protection Act are enshrined in this policy in the Centre's commitment that personal data:

- Is processed fairly and lawfully;

- Is obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes;
- Is accurate and, where necessary, kept up to date;
- Is adequate, relevant and not excessive in relation to the purposes for which it is processed;
- Is not kept for longer than is necessary for those purposes;
- Is processed in accordance with the rights of data subjects under the DPA;
- Is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage; and
- Is not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information.

6 Fair Processing

The Centre is committed to being clear and transparent about what type of personal information we hold and how it is used. The following 'Privacy Notice for Pupils and their Parents or Carers' will be published on the Centre Website.

7 Privacy Notice for Pupils and their Parents or Carers

7.1 Why do we collect information?

The Centre collects information about our pupils and holds this personal data so that we can:

- Support each pupil's learning;
- Monitor and report on each pupil's progress;
- Provide appropriate pastoral care and other support to each of our pupils; and
- Assess how well each pupil is doing and report on that to the parents.

7.2 What type of information do we collect?

The information will include: personal data such as name and date of birth as well as contact details; educational performance assessments; attendance information; pastoral information. It will also include sensitive personal data such as: ethnicity; special educational needs; behavioural incidents; and medical information that will help us to support each pupil's education and wider welfare needs at the Centre.

We will also hold personal contact information about parents and carers so that we can get hold of you routinely or in an emergency.

Pupil photographs may be included, as part of their personal data and this will be treated with the same level of confidentiality as all other personal data. Photographic images of pupils used in publically available media such as web sites, newsletters or the Centre prospectus will not identify pupils unless parental permission has been given in advance.

7.3 Do we share this information with anyone else?

We do not share any of this data with any other organisation without your permission except where the law requires it. We are required to provide pupil data to central government through the Department for Education (DfE www.education.gov.uk) and the Education Funding Agency (EFA www.education.gov.uk/efa). Where it is necessary to protect a child, the Centre will also share data with the Local Authority Children's Social Services and/or the Police.

7.4 Can we see the personal data that you hold about our child?

All pupils have a right to have a copy of the personal information held about them. As our pupils are of Nursery age, a request for a copy of the personal information has to be made by a parent or carer in writing. The only circumstances under which the information would be withheld would be if there was a child protection risk, specifically:

- The information might cause serious harm to the physical or mental health of the pupil or another individual;
- Where disclosure would reveal a child is at risk of abuse;
- Information contained in adoption or parental order records;
- Information given to a court in proceedings under the Magistrate's Courts (Children and Young Persons) Rules 1992; and

If you want a printed copy of the personal data then the Centre will charge the actual cost of providing the copy up to a maximum of a £10 charge. To protect each child's right of confidentiality under law the Centre reserves the right to check the identity of a person making a request for information on a child's behalf. Once any identity check has been completed and any fee due paid, the information will be collected and provided within 40 calendar days.

7.5 Can we see our child's educational record?

All parents/carers are also entitled to a copy of their child's educational record. A request must be made in writing to the Governing Body. The Educational Record includes curriculum, assessment, pastoral and behavioural information that is stored by the Centre. Only information that has come from a teacher or employee of the Centre or an educational professional contracted by the Centre can be considered to form part of the educational record.

The Centre will charge a fee to provide an actual copy of the educational record but this will not be greater than the actual cost of reproducing the information. Once any fee has been received the Centre will respond to the request within 15 Centre days (21 calendar days excluding any public or Centre holidays).

8 Information Security

Objective

The information security objective is to ensure that the Centre's information base is protected against identified risks so that it may continue to deliver its services and obligations to the community. It also seeks to ensure that any security incidents have a minimal effect on its business and operations.

Responsibilities

The Children's Centre Manager and Nursery Head Teacher have direct responsibility for maintaining the Information Security policy and for ensuring that the staff at the Centre adheres to it.

General Security

It is important that unauthorised people are not permitted access to Centre information and that we protect against theft of both equipment and information. This means that we must pay attention to protecting our buildings against unauthorised access. Staff must:

- Not reveal pin numbers or building entry codes to people that you do not know or who cannot prove themselves to be employees;
- Beware of people tailgating you into the building or through a security door;
- If you don't know who someone is and they are not wearing some form of identification, ask them why they are in the building;
- Not position screens on reception desks where members of the public could see them;
- Lock secure areas when you are not in the office;
- Not let anyone remove equipment or records unless you are certain who they are;
- Visitors and contractors in Centre buildings should always sign in a visitor's book.

Security of Paper Records

Paper documents should always be filed with care in the correct files and placed in the correct place in the storage facility. Staff must ensure that:

- Records that contain personal data, particularly if the information is sensitive is locked away when not in use and should not be left open or on desks overnight or when you are not in the office;
- They always keep track of files and who has them;
- They do not leave files out where others may find them;
- Where a file contains confidential or sensitive information, it is not given to someone else to look after.

Security of Electronic Data

A lot of our data and information is collected, processed, stored, analysed and reported electronically. It is essential that our systems, hardware, software and data files are kept secure from damage and unauthorised access. Centre staff must:

- Prevent access to unauthorised people and to those who don't know how to use an item of software properly. It could result in loss of information;
- Keep suppliers CDs containing software safe and locked away. Always label the CDs so that you do not lose them in case they need to be re-loaded;
- When we buy a license for software, it usually only covers a certain number of machines. Make sure that you do not exceed this number, as you will be breaking the terms of the contract.
- Passwords are a critical element of electronic information security. All staff must manage their passwords in a responsible fashion:
 - Don't write it down;
 - Don't give anyone your password or allow them to see you typing it;
 - Your password should be at least 8 characters;
 - Include numbers as well as letters in the password;
 - The essential rules your password is something that you can remember but not anything obvious (such as password) or anything that people could guess easily such as your name;
 - You can be held responsible for any malicious acts by anyone to whom you have given your password;
 - Change your password regularly, and certainly when prompted. Also change it if you think that someone may know what it is.
- Many database systems, particularly those containing personal data should only allow a level of access appropriate to each staff member. The level may change over time.

Use of E-Mail and Internet

The use of the Centre's e-mail system and wider Internet use is for the professional work of the Centre. Professional standards of conduct and compliance with the Centre's wider policies are a requirement whenever the e-mail or Internet system is being used. The Centre uses a filtered and monitored broadband service to protect our pupils. Deliberate attempts to access web sites that contain unlawful, pornographic, offensive or gambling content are strictly prohibited. Staff discovering such sites on the system must report this to their line manager immediately. The Children's Centre Manager or Head of Nursery will ensure that the sites are reported to the broadband provider for filtering.

- To avoid a computer virus arriving over the Internet, do not open any flashing boxes or visit personal websites;
- Do not send highly confidential or sensitive personal information via e-mail;
- Save important e-mails straight away;
- Unimportant e-mails should be deleted straight away;
- Do not send information by e-mail, which breaches the Data Protection Act. Do not write anything in an e-mail which could be considered inaccurate or offensive, and cannot be substantiated.

Electronic Hardware

All hardware held within Centre should be included on the asset register. When an item is replaced, the register should be updated with the new equipment removed or replaced. Do not let anyone remove equipment unless you are sure that they are authorised to do so. In non-secure areas, consider using clamps or other security devices to secure laptops and other portable equipment to desktops.

Homeworking Guidance

If staff must work outside of the Centre or at home, all of the 'Information Security' policy principles still apply. However, working outside of the Centre presents increased risks for securing information. The following additional requirements apply:

- Do not access confidential information when you are in a public place, such as a train and may be overlooked;
- Do not have conversations about personal or confidential information on your mobile when in a public place. Ensure that, if urgent, you have your conversation in a separate room or away from other people;

If you use a laptop or tablet or smart phone:

- Ensure that it is locked and pass-word protected to prevent unauthorised access;

- Make sure that you don't leave your device anywhere it could be stolen. Keep it with you at all times and secure it when you are in the Centre;
- Any portable device or memory stick that contains personal data must be encrypted. Personal data may not be taken off the Centre's site or put onto a portable device without the express permission of the Children's Centre Manager or the Nursery Head Teacher. Taking personal data off-site on a device or media that is not encrypted would be a disciplinary matter.

When working on confidential documents at home do not leave them lying around where others may see them; dispose of documents using a shredder.

If you are using your own computer, ensure that others cannot access documents. When you have completed working on them, transfer them back to the Centre's system and delete them from your computer. It is forbidden to use a computer owned by you to hold personal data about pupils or staff at the Centre.

Audit of Data Access

Where possible our software specifications will include the function to audit access to confidential data and attribute access, including breaches of security, to specific users.

Data Backup

The Centre will arrange that all critical and personal data is backed up to secure on-line (off physical site) storage. If the Centre is physically damaged critical data backups will allow the Centre to continue its business at another location with secure data.

Data backup should routinely be managed on a rolling daily process to secure off-site areas.

9 Disposal of Information

9.2 Paper records should be disposed of with care. If papers contain confidential or sensitive information shred them before disposing of them. Particular care must be taken when selecting papers to be placed in a recycling bin.

9.3 Computers and hardware to be disposed of must be completely 'cleaned' before disposal. It is not enough just to delete all the files.

9.4 It cannot be assumed that simply deleting a file will prevent it being recovered from electronic media. Electronic memory containing personal information or sensitive personal information must be electronically scrubbed or physically destroyed.

9.5 Where a third party contractor holds personal information on behalf of the Centre, for example a payroll provider, the Centre will seek reassurance from the contractor regarding their data protection policies and procedures.

10. Subject Access Requests

Requests from parents or pupils for access to personal data or educational records will be dealt with as described in the Privacy Notice for Pupils and their Parents/Carers.

Centre staff may have access to their personal data within 40 calendar days of a request and at no charge.

The Centre will maintain a documented record of all requests for personal information with details of who dealt with the request, what information was provided and when, and any outcomes. The record will be used if there is a subsequent complaint in relation to the request.

11. Sharing Personal Information

The Centre only shares personal information with other organisations where there is a legal requirement to do so or the organisation has been contracted by the Centre to carry out a function of the Centre.

The Centre is required, for example, to share information with the Department for Education and the Education Funding Agency. Under certain circumstances, such as child protection, we may also be required to share information with Children's Social Services or the police.

Because our pupils are of Nursery school age, their own right to access their own personal information held by the Centre will be exercised through their parents or guardians.

The Children's Centre Manager or Nursery Head Teacher will be responsible for authorising the sharing of data with another organisation. In authorising the sharing of data s/he will take account of:

- Whether it is lawful to share it;
- Whether there is adequate security in place to protect the information while it is being transferred and then held by the other organisation;
- Include in the Privacy Notice a simple explanation of who the information is being shared with and why.

Considerations regarding the method of transferring data should include:

- If personal data is sent by e-mail then security will be threatened. You may need to check that the recipient's arrangements are secure enough before sending the message. The data may also need to be password protected and the password sent separately. You should also check that it is going to the correct e-mail address.
- Circular e-mails sent to parents should be sent **bcc** (blind carbon copy) so that the e-mail addresses are not disclosed to everyone.

Similar considerations apply to the use of fax machines. Ensure that the recipient will be present to collect a fax when it is sent and that it will not be left unattended on their equipment.

If confidential personal data is provided by paper copy it is equally important to ensure that it reaches the intended recipient, often hand delivery is the safest option.

12. Websites

The Centre website will be used to provide important information for parents and pupils including our Privacy Notice and our Publication Scheme (Freedom of Information).

Where personal information, including images, are placed on the web site the following principles will apply:

- We will not disclose personal information (including photos) on a web site without the consent of the parent/carer, member of staff or Governor as appropriate;
- Comply with regulations regarding cookies and consent for their use;

Our website design specifications will take account of the principles of data protection.

13. Photographs

The Centre may use photographs of pupils or staff taken for inclusion in the printed prospectus or other school publications only with further specific consent being sought.

Images recorded by parents using their own personal equipment of their child in a school play or activity for their own family use are not covered by data protection law, although we request that parents do not take photographs or video and we forbid the use of mobile phones within the Centre rooms when children are present.

All other uses by the Centre of photographic images are subject to data protection.

14. Processing by Others

The Centre remains responsible for the protection of data that is processed by another organisation on its behalf. As part of a contract of engagement other organisations that process data on behalf of the Centre will have to specify how they will ensure compliance with data protection law.

15. Training

The Children's Centre Manager/Head of Nursery will ensure that all staff are adequately trained to understand their responsibilities in relation to this policy and procedures.

16. Freedom of Information Publication Scheme

In line with the Freedom of Information Act the Centre will provide its Approved Publication Scheme on our web site.

Guide to information available from Stockingford Early Years Centre & Library under the model ICO publication scheme

Class 1 – Who we are and what we do

<i>Information to be published</i>	<i>How the information can be obtained</i>	<i>Cost</i>
Location and contact information for the Children's Centre Manager and Nursery Head Teacher	Prospectus and Website	Free
Who's who in the school	Prospectus and Website	Free
Who's who on the governing body and the basis of their appointment	Prospectus and Website Full names of Governors in office (hardcopy)	Free
Instrument of Government	Prospectus	Free
Stockingford Early Years Centre prospectus	From the Office/ e-mail/Website	Free
Staffing structure	Prospectus	Free
Nursery School/Nurture Nursery session times and term dates	Website Prospectus	Free

Class 2– What we spend and how we spend it

(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)

Current and previous financial year as a minimum Annual budget plan and financial statements	Hard copy	Free
Capital funding	Hard copy	Free
School Fund Audit	Hard Copy	Free
Procurement, contracts and projects	Hard copy	Free
Pay policy	Hard copy	Free
Staffing and grading structure	Hard copy	Free
Details of expenditure items over £2000 – published at least annually but at a more frequent quarterly or six-monthly interval where practical	Hard copy Governors' minutes	Free

Class 3 – What our priorities are and how we are doing

(Strategies and plans, performance indicators, audits, inspections and reviews)

Government supplied performance data	Hard copy	Free
Latest Ofsted Report	Hard copy and Website link	Free
Performance management policy and procedures adopted by the governing body	Hard copy	Free
Planning (Centre Development Plans) and evaluation documents (SEF)	Hard copy	Free

Class 4 – How we make decisions

(Decision making processes and records of decisions) Current and previous three years as a minimum

Admissions policy/decisions (not individual admission decisions)	Website	Free
Agendas of meetings of the Governing Body and its committees	Hard copy	10p/sheet

Minutes of meetings (as above) – NB. this will exclude information that is properly regarded as private to the meetings.	Hard copy	10p/sheet
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Class 5 – Our policies and procedures

(Current written protocols, policies and procedures for delivering our services and responsibilities). Current information only

<p>School policies including:</p> <p>Charging and remissions policy</p> <p>Health and Safety</p> <p>Complaints procedure</p> <p>Staff Code of Conduct</p> <p>Grievance procedures</p> <p>Single Equality Scheme</p> <p>Staffing Structure</p> <p>Publication Scheme (Freedom of Information and Data Protection Policy)and Procedure</p> <p>Equality Statement</p> <p>Equality & Diversity Policy</p> <p>Safer Recruitment Policy</p>	Website and hard copies available upon request from the Office	Free Free Free Free Free Free Free Free Free Free Free
<p>Pupil and Curriculum Policies including:</p> <p>Teaching and Learning Policy</p> <p>Special Educational Needs</p> <p>Accessibility</p> <p>Behaviour</p> <p>EYFS Policy</p>	Website/hardcopy Website/hardcopy Website/hardcopy Website/hardcopy Website/hardcopy	Free Free Free Free Free
<p>Records management and personal data policies, including:</p> <ul style="list-style-type: none"> • Information security policies • Records, retention, destruction and archive policies • Data protection (including information sharing policies) 	Hardcopy	Free

Class 6 – Lists and Registers

Currently maintained lists and registers only

Curriculum circulars and statutory instruments	Website/ Newsletters	Free
Currently maintained lists and registers only (this does not include the attendance register)	Hard copy	10p/sheet
Any information the school is currently legally required to hold in publicly available registers	Hard copy	10p/sheet
Disclosure Logs	This material would only be available to view by the appropriate bodies	10p/sheet
Asset Register	Copy upon request	10p/sheet

Class 7 – The services we offer

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only

Services for which the Centre is entitled to recover a fee, together with those fees: Creche, Adult Learning Sessions etc – see Charging and Remissions Policy	Hard copy and Website	10p/sheet
Leaflets books and newsletters	Website/ School Office	Free
Additional Information <i>This will provide schools with the opportunity to publish information that is not itemised in the lists above</i>	None	

Schedule of charges

This describes how the charges have been arrived at and should be published as part of the guide.

<i>Type of charge</i>	<i>Description</i>	<i>Basis of charge</i>
Disbursement cost	Photocopying/printing @ 10p per sheet (black & white)	Actual cost *
	Postage	Actual cost of Royal Mail standard 2 nd class

* the actual cost incurred by the Centre