Oakwood Infant and Nursery School

Data Protection Policy

(OAK001/09/2027)

School Mission Statement

At Oakwood Infant and Nursery School we provide a safe, healthy, happy and creative learning environment for everyone, through high expectations and mutual respect.

We are all stars, watch us shine.

Reviewed: September 2026

Approved: September 2026

To be reviewed: September 2027

© Oakwood Infant and Nursery School 2026

This document contains confidential information that is the property of Oakwood Infant and Nursery School. It is intended only for the person to whom it is addressed. If you are not the intended recipient, you are not authorised to read, print, retain, copy, disseminate, distribute, or use this document or any part thereof.

Version History

V25.1	October 2025	Added in a 'Complaints' section
V24.1	*June 2024*	*Added in section on information sharing in an employee medical or mental health emergency within the 'Associated Policies/Processes' section of the policy.*
V23.1	*January 2023*	*Amendments to policy made in line with the summary list below.*

This template has been provided by SBM Services (uk) Ltd and is only authorised for use by those schools in contract with SBM Services (uk) Ltd. This template may not be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior written permission of SBM Services (uk) Ltd.

Whilst SBM Services (uk) Ltd will endeavour to ensure that all tools and resources are reflective of current legislation and guidance, the Client is solely responsible for the appropriate use and adaption of The SBM Toolkit tools and resources for their own use. The Client is also responsible for seeking appropriate financial, legal and technical advice; using resources within The SBM Toolkit does not take the place of appropriate technical advice.

Copyright © 2025 All rights reserved

Contents

Section Title	
Part 1 – Introduction & Key Definitions	
Introduction	
Key Definitions	
Part 2 – Organisational Arrangements	
Overall Responsibility	
Roles & Responsibilities	
Part 3 – Detailed Arrangements & Procedures	
Data Management • Data Registration • Data Protection Officer • Data Protection Awareness • Data Mapping	
Third Party Suppliers Acting as Data Processors	
Consent • Privacy Notices • The Use of Pupil Images • Accurate Data • Withdrawal of Consent	
Associated Data Protection Policies • CCTV • Complaints • Confidentiality Agreement • Data Breaches • Data Privacy Impact Assessments • ICT Usage Agreement • Information sharing in an employee medical or mental health emergency	

• Records Management & Retention • Subject Access Requests • Third Party Requests for Information • Use of Personal Devices	

Part 1 Introduction and Key Definitions

1.1 Introduction

Oakwood Infant and Nursery School needs to gather and use certain information about individuals.

These individuals can include pupils, parents/carers, employees, suppliers, business contacts and other people the Oakwood Infant and Nursery School has a relationship with or may need to contact.

This policy describes how this personal data must be collected, handled and stored to meet the Oakwood Infant and Nursery School data protection standards — and to comply with the law.

This data protection policy ensures Oakwood Infant and Nursery School

- complies with data protection law and follows good practice
- protects the rights of pupils, staff, parents/carers and other stakeholders
- is open about how it stores and processes individuals' data
- protects itself from the risks of a data breach

This data protection policy is based on the six principles of the Data Protection Act (DPA) 2018 that personal data shall be:

1. processed lawfully, fairly and in a transparent manner
2. collected for specified, explicit and legitimate purposes
3. adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed
4. accurate and kept up to date
5. kept in a form which permits identification of data subjects for no longer than is necessary
6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss or damage

1.2 Key Definitions

Data

The DPA describes how organisations, including Oakwood Infant and Nursery School, must collect, handle and store personal information ('data').

Data is any information that the Oakwood Infant and Nursery School collects and stores about individuals or organisations. Some data is more sensitive than others and particular care will be given to processing and managing this. Sensitive data includes:

- racial or ethnic origin;
- political opinions;
- religious or philosophical beliefs;

- trade union membership;
- data concerning health or sex life and sexual orientation;
- genetic data; and
- biometric data.

Data can be stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

Data Subject

A 'Data Subject' is someone whose details the Oakwood Infant and Nursery School keeps on file. The data subject has the following rights under data protection legislation:

- to be informed
- to have access to data stored about them (or their children)
- to rectification if there is an error in the data stored
- to erasure if there is no longer a need for the school to keep their data
- to restrict processing (e.g. limit what their data is used for)
- to object to data being shared or collected

Although data protection legislation affords these rights to individuals, in some cases the obligations Oakwood Infant and Nursery School have to share data with the DfE etc override these rights (this is documented later in the policy under 'Privacy Notices').

Data Controller

The 'Data Controller' has overall responsibility for the personal data collected and processed and has a responsibility for ensuring compliance with the relevant legislation. They are able to delegate this to 'Data Processors' to act on their behalf.

The Oakwood Infant and Nursery School is the 'Data Controller'.

Data Processor

A 'Data Processor' uses, collects, accesses or amends the data that the controller is authorised to collect or has already collected. It can be a member of staff or a third party company such as a curriculum software provider or a payroll provider.

Part 2 Organisational Arrangements

2.1 Overall Responsibility

Oakwood Infant and Nursery School will meet its obligations under the DPA by putting in place clear policies that focus on the key risks and in checking that control measures have been implemented and remain appropriate and effective.

2.2 Roles & Responsibilities

The Governing Body will:

- Establish and maintain a positive data protection culture.
- Ensure the GDPR Co-Ordinator prepares a Data Protection policy for approval and adoption by the Governing Board and to review and monitor the effectiveness of the policy.
- Appoint a Data Protection Officer and provide adequate resources and support for them to fulfil their statutory duties.
- Allocate sufficient resources for data protection, e.g. in respect of training for staff, encryption technology for devices.
- Monitor and review data protection issues.
- Ensure that Oakwood Infant and Nursery School provides adequate training, information, instruction, induction and supervision to enable everyone to comply with their data protection responsibilities.
- Review and act upon data protection compliance reports from the Data Protection Officer.
- Attend data protection training as organised by Oakwood Infant and Nursery School.

The Headteacher will:

- Promote a positive data protection culture.
- Prepare a Data Protection Policy for approval by the Governing Board, revise as necessary and review annually.
- Ensure that all staff co-operate with the policy.
- Ensure that staff are competent to undertake the tasks required of them and have been provided with appropriate training.
- Provide staff with equipment and resources to enable them to protect the data that they are processing.
- Ensure that those who have delegated responsibilities are competent, their responsibilities are clearly defined, and they have received appropriate training.
- Monitor the work of the Data Protection Officer to ensure they are fulfilling their responsibilities.

The Data Protection Officer will:

- Inform and advise Oakwood Infant and Nursery School of their obligations under data protection legislation.
- Monitor compliance with the legislation and report to the GDPR Co-Ordinator and Governing Board on a termly basis.
- Co-operate with the supervisory authority (e.g. Information Commissioners Office) and act as the main contact point for any issues.
- Seek advice from other organisations or professionals, such as the Information Commissioners Office as and when necessary.
- Keep up to date with new developments in data protection issues for schools.
- Advise and guide Oakwood Infant and Nursery School on subject access requests and data breaches.

The Headteacher will:

- Act upon information and advice on data protection and circulate to staff, Volunteers and Governors.
- Carry out a data protection induction for all staff and keep records of that induction.
- Coordinate data protection training for staff, volunteers and Governors.
- Coordinate the response to a Subject Access Request.
- Coordinate the response to a data breach.

Staff at the school will:

- Familiarise themselves and comply with the Data Protection Policy.
- Comply with the Oakwood Infant and Nursery School data protection arrangements.
- Follow the data breach reporting process.
- Attend data protection training as organised by the Oakwood Infant and Nursery School.
- Change their email password once every 90 days

Part 3 Detailed Arrangements & Procedures

3.1 Data Management

Data Registration

As Data Controller, Oakwood Infant and Nursery School must register as a Data Controller on the Data Protection Register held by the Information Commissioner. Oakwood Infant and Nursery School was last registered on 11.11.2025 and is due to renew on .11.11.2026

Data Protection Officer

As a public body, Oakwood Infant and Nursery School is required to appoint a Data Protection Officer (DPO).

At Oakwood Infant and Nursery School the DPO role is fulfilled by:

- SBM Services (UK)
  12 Park Lane Business Centre,
  Langham
  COLCHESTER
  Essex
  CO4 5WR

The role of the DPO is to:

- Inform and advise the school/academy and the employees about obligations to comply with all relevant data protection laws.
- Monitor compliance with the relevant data protection laws.
- Be the first point of contact for supervisory authorities.

Data Protection Awareness

In order to ensure organisational compliance, all staff and other key stakeholders (e.g. governors, volunteers) will be made aware of their responsibilities under the data protection legislation as part of their induction programme, (both as a new employee/governor to the organisation or if an individual changes role within the school/academy).

Staff and governors/trustees will also be required to complete annual cyber security training to ensure that they are aware of cyber risks and understand the important role that they play in reducing the risk of a successful cyber attack.

Annual data protection refresher training will take place to reinforce the importance of staff, volunteers and governors adhering to the legislation.

A record of the professional development undertaken by the individual will be retained on their training record.

Data Mapping

Oakwood Infant and Nursery School has documented all of the data that it collects within a 'Data Flow Map'. This data inventory records:

- the data held
- what the data is used for
- how it is collected
- how consent is obtained
- how the data is stored
- what the retention period is
- who can access the data
- who is accountable for the data
- how the data is shared
- how the data is destroyed

For each data type, the probability of a data breach occurring is assessed (very high, high, medium, low or very low) and actions to be taken to mitigate the risk are recorded.

It is the responsibility of the GDPR Co-Ordinator to ensure the 'Data Flow Map' is kept up to date. The map should be a live document and updated regularly.

Third Party Suppliers Acting as Data Processors

As Data Controller, Oakwood Infant and Nursery School is responsible for ensuring that correct protocols and agreements are in place to ensure that personal data is processed by all subcontractors and other third parties in line with the principles of the data protection legislation.

Individuals within school who have a responsibility for securing contracts and agreements with such third parties are responsible for ensuring that all external data processing is contracted out in line with the principles of the DPA. These type of agreements include:-

- IT contracts and processes.
- Physical data and hard copy documents.
- Data destruction and hardware renewal and recycling financial and personnel information.
- Pupil and staff records.

Only third-party suppliers who can confirm they have appropriate technical, physical and organisational security to securely process data will be considered as suitable partners.

The procurement process will ensure that all contracts are suitable and reflect DPA requirements. Review of current and due consideration of future contracts will require this even if data processing is

ancillary to the main purpose of the contract.

The external processor will confirm with the data controller that suitable security and operational measures are in place.

Any potential supplier or purchaser outside the EU will be obliged to confirm how they comply with the DPA and give contractual assurances.

The DPO may require a specific risk assessment to be undertaken if the data is sensitive, and if an increased risk is likely due to the nature, or proposed nature, of the processing.

A written agreement will be in place between the supplier and Oakwood Infant and Nursery School to confirm compliance with the DPA principles and obligations to assist Oakwood Infant and Nursery School in the event of a data breach or subject access request, or enquiries from the ICO.

Oakwood Infant and Nursery School must have the right conduct audits or have information about audits that have taken place in respect of the relevant processes of the supplier's security arrangements whilst the contract is in place, or whilst the supplier continues to have personal data that relates to the contract on its systems.

Any subcontracting must only be done with the written consent of Oakwood Infant and Nursery School as data controller. This must be the case for any further subcontracting down the chain. All subcontractors must confirm agreement to be bound by DPA principles when handling Oakwood Infant and Nursery School data, which shall also include cooperation and eventual secure destruction or return of data.

Oakwood Infant and Nursery School has a 'Third Party Request for Information' form which must be used for third-party suppliers acting as a Data Processor for the Oakwood Infant and Nursery School. Oakwood Infant and Nursery School maintains evidence of the checks that have taken place for each of their third party suppliers.

Consent

Oakwood Infant and Nursery School will seek consent from staff, volunteers, young people, parents and carers to collect and process their data. We will be clear about our reasons for requesting the data and how we will use it. There are contractual, statutory and regulatory occasions when consent is not required. However, in most cases, data will only be processed if explicit consent has been obtained.

Consent is defined by the DPA as "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by clear affirmative action, signifies agreement to the processing of personal data relating to him or her".

We may seek consent from young people also, and this will be dependent on the child and the reason for processing.

Privacy Notices

In order to comply with the fair processing requirements of the DPA, Oakwood Infant and Nursery School will inform their staff, parents/carers of all pupils and governors of the data they collect, process and hold on them, the purposes for which the data is held and the third parties (e.g. LA, DfE, etc) to whom their data may be passed, through the use of 'Privacy Notices'.

Privacy notices are available to staff, parents and governors through the following means:

- School website
- In the Policies Folder

Privacy notices will be reviewed on an annual basis.

The Use of Images (Pupil & Staff)

Occasionally Oakwood Infant and Nursery School may take photographs of its pupils or staff members. These images could be used as part of internal displays, printed publications, the website or our social media accounts.

Oakwood Infant and Nursery School will seek consent from all parents to allow the photography of pupils and the subsequent reproduction of these.

Oakwood Infant and Nursery School will seek consent from all members of staff to allow their photography and the subsequent reproduction of these images.

Consent will last for the length of time the child is a pupil at Oakwood Infant and Nursery School.

Parents and staff are given the opportunity to opt in. It is not permissible to assume they are opting in.

Generic consent for all uses of images is not acceptable; parents and staff must give consent to each medium.

Parents and staff must be given the opportunity to withdraw their consent at any time. This should be given in writing to Oakwood Infant and Nursery School, however a verbal withdrawal of consent is also valid and should be reported to the Headteacher immediately.

Consent should be recorded logged on management information system> and in the pupils' record.

If images of individual pupils are published, then the name of that child should not be used in the accompanying text or caption unless specific consent has been obtained from the parent prior to publication.

Oakwood Infant and Nursery School 'Parental Consent' and 'Staff Consent' forms are used to seek consent when they join the organisation.

Accurate Data

Oakwood Infant and Nursery School will endeavour to ensure that the data it stores is accurate and up to date.

When a pupil or member of staff joins Oakwood Infant and Nursery School they will be asked to complete a form providing their personal contact information (e.g. name, address, phone number, NI number for staff), next of kin details, emergency contact and other essential information. At this point, Oakwood Infant and Nursery School will also seek consent to use the information provided for other internal purposes (such as promoting school events, photography).

Oakwood Infant and Nursery School will undertake an annual data collection exercise, where current staff and parents will be asked to check the data that is held about them is correct. This exercise will also provide individuals with the opportunity to review the consent they have given for Oakwood Infant and Nursery School to use the information held for internal purposes.

Parents/carers and staff are requested to inform Oakwood Infant and Nursery School when their personal information changes.

Withdrawal of Consent

Consent can be withdrawn, subject to contractual, statutory or regulatory constraints. Where more than one person has the ability to provide or withdraw consent, Oakwood Infant and Nursery School will consider each situation on its merits and within the principles of the DPA, child welfare, protection and safeguarding principles.

Parents/carers and staff are requested to complete a Withdrawal of Consent form and return this to the Headteacher.

Complaints

If an individual believes Oakwood Infant and Nursery School has mishandled their personal data or that their data protection rights have been breached, they have the right to make a complaint.

Concerns or complaints should be directed as follows:

- The Headteacher, Mrs Maguire-Egan
- admin@oakwood.essex.sch.uk
- 01255 421168

Complaints will be acknowledged by Oakwood Infant and Nursery School at the earliest opportunity, but at the latest within 30 days.

Oakwood Infant and Nursery School will take reasonable steps to investigate the concern without undue delay.

The individual that has raised the complaint will be informed of the outcome once the investigation has concluded.

If the individual is unsatisfied with how the complaint has been managed, they can escalate their concern to the Information Commissioner.

Website: Make a complaint about how an organisation has used your personal information | ICO

Phone: 0303 123 1113

Associated Data Protection Policies/Processes

- CCTV
- Confidentiality Agreement
- Data Breaches
- Data Privacy Impact Assessments
- ICT Usage Agreement
- Information sharing in an employee medical or mental health emergency
- Records Management & Retention
- Subject Access Requests
- Third Party Requests for Information
- Use of Personal Devices

CCTV

Oakwood Infant and Nursery School uses closed circuit television (CCTV) images to reduce crime and monitor the buildings in order to provide a safe and secure environment for pupils, staff and visitors, and to prevent loss or damage to the school property. Oakwood Infant and Nursery School has a CCTV Policy in place which documents:

- why CCTV is used
- where cameras are sited
- whether covert monitoring is undertaken
- how long images are retained for
- who has access to the images
- what the complaints procedure is

Confidentiality Agreement

Oakwood Infant and Nursery School has a Confidentiality Agreement in place which staff, governors/trustees and volunteers are required to sign on an annual basis. This agreement sets out the expectations Oakwood Infant and Nursery School has in relation to maintaining confidentiality.

Data Breaches

Although Oakwood Infant and Nursery School takes measures against unauthorised or unlawful processing and against accidental loss, destruction or damage to personal data as set out in this policy and the supporting policies referred to, a data security breach could still happen. Examples of data breaches include:

- Loss or theft of data or equipment on which data is stored (e.g. losing an unencrypted USB stick, losing an unencrypted mobile phone).
- Inappropriate access controls allowing unauthorised use.
- Equipment failure.
- Human error (e.g. sending an email to the wrong recipient, information posted to the wrong address, dropping/leaving documents containing personal data in a public space).
- Unforeseen circumstances such as fire or flood.
- Hacking attack.
- 'Blagging' offences where information is obtained by deceiving Oakwood Infant and Nursery School.

Oakwood Infant and Nursery School has a Data Breach policy which sets out the process that should be followed in the event of a data breach occurring.

Data Privacy Impact Assessments

When considering the purchase of a new service or product that involves processing personal data, a Data Privacy Impact Assessment must be completed by the Office Manager/Headteacher. If risks are identified as part of the assessment, then appropriate steps to mitigate this risk must be implemented. If these risks are deemed to be 'high risk' then the DPO should consult with the ICO prior to implementation.

The 'Data Privacy Impact Assessment' form must be used for each new service/product.

ICT Usage Agreements

Oakwood Infant and Nursery School has an ICT Usage Agreement in place which staff, governors/trustees and volunteers are required to sign on an annual basis. This agreement sets out the expectations Oakwood Infant and Nursery School has in relation to staff safely and securely using the IT network.

Information sharing in an employee medical or mental health emergency

Data protection law allows Oakwood Infant and Nursery School to share personal information in an urgent or emergency situation, including to help prevent loss of life or serious physical, emotional or mental harm.

During a medical or mental health emergency where there is risk of serious harm to staff or to others Oakwood Infant and Nursery School will share necessary and proportionate information without delay with relevant and appropriate emergency services or health professionals Oakwood Infant and Nursery School may also share necessary and proportionate information with the member of staff's next of kin or emergency contact.

Oakwood Infant and Nursery School will use their judgement in each specific situation, sharing only what is necessary and proportionate to the circumstances. Oakwood Infant and Nursery School may decide that, whilst it may be necessary and proportionate to provide the emergency services with a full account of the situation, it is only appropriate to provide the member of staff's emergency contact with more limited details.

Oakwood Infant and Nursery School staff privacy notice covers this sharing of data. (Oakwood Infant and Nursery School may also include links to any other policies that relate to managing staff mental health emergencies).

Records Management

Oakwood Infant and Nursery School recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations which will also contribute to the effective overall management of the school.

Oakwood Infant and Nursery School has a Record Management & Retention Policy in place which sets out how it will:

- safely and securely store data (both digital and hard copy data)
- retain data
- dispose of data

The retention schedule is based on the good practice advice provided by the Institute of Records Management Society (IRMS) for schools.

Subject Access Requests

Any individual, person with parental responsibility or young person with sufficient capacity has the right to ask what data Oakwood Infant and Nursery School holds about them and can make a Subject Access Request (SAR).

Oakwood Infant and Nursery School has a Subject Access Request Policy, which sets out how a SAR can be made and the process that should be followed in the event of receiving a SAR.

Third Party Requests for Information

Occasionally Oakwood Infant and Nursery School may receive a request for information on a pupil or member of staff by a third party, such as the police or social services. This would be separate to statutory requests that come through from the DfE or LA, for example, which are covered within the privacy notices.

Oakwood Infant and Nursery School has a Third Party Request for Information Policy which sets out the process that should be followed in the event of receiving a third party request.

Use of Personal Devices

Oakwood Infant and Nursery School recognises the benefits of mobile technology and is committed to supporting staff in the acceptable use of mobile devices. Oakwood Infant and Nursery School follows the 'Bring Your Own Device' Policy which sets out how non-school owned electronic devices, e.g. laptops, smart phones and tablets, may be used by staff members and visitors to the school.