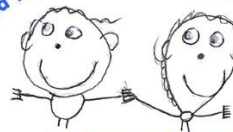


Bedworth Heath Nursery School  
and Warwickshire Early Years Hub



'You make the difference,  
today, tomorrow, together'

Atherstone Nursery School  
and Warwickshire Early Years Hub



'Bright Start, Bright Future'  
'Chances to explore, discover and grow'

# Data Protection & Communications Policy

Atherstone & Bedworth Heath Nursery Schools  
and Warwickshire Early Years Hub

<b>Date initial Policy Written</b>	<b>July 2008</b>		
<b>Approved by Governors</b>			
<b>Revision 1 Due: July 2012</b>	<b>Date completed:</b>	<b>Head teacher</b>	<b>Chair of Governors</b>
	<b>1.7.12</b>	<i>A L King</i>	<i>D. Flowers</i>
<b>Revision 2 Due: Sept 14</b>	<b>Date:</b>	<b>Head teacher</b>	<b>Chair of Governors</b>
	<b>5<sup>th</sup> Sept 13</b>	<i>A L King</i>	<i>D. Wainwright</i>
<b>Revision 3 Due: Sept 16</b>	<b>Date:</b>	<b>Head teacher</b>	<b>Chair of Governors</b>
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	<b>12 Nov 2020</b>	<i>N Burton</i>	<i>K Marshall</i>
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	<b>November 2021</b>	<i>N Burton</i>	<i>W Dodd</i>

## Introduction

- *Schools have many lines of communication to maintain: with Parents/carers and carers, with other schools, with the community, with outside agencies, and within the school. Good communication between the school and the home is essential, and children achieve more when schools and Parents/carers work together. Parents/carers can naturally help more if they know what the school is trying to achieve.*
- *In our schools we aim to have clear and effective communications with all Parents/carers and with the wider community. Effective communications enable us to share our aims and values, through keeping Parents/carers well informed about school life. This reinforces the important role that Parents/carers play in supporting the school.*
- *We have various strategies for communicating with Parents/carers. Some of our communications are in accordance with a statutory requirement; while others simply reflect what we believe is important.*
- *We try to make our written communications as accessible and inclusive as possible. We use an easy to read font, and add pictures wherever appropriate. We seek to avoid bias, stereotyping or any form of racial discrimination. We wish to recognise and celebrate the contributions made to our society by all the cultural groups represented in our schools.*

## Data Protection

**Atherstone and Bedworth Heath Nursery and Warwickshire Early Years Hub** collects and uses personal information about staff, pupils, Parents/carers and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/Parents/carers, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

### Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

### What is Personal Information?

Personal information or data is defined as data, which relates to a living individual who can be identified from that data, or other information held.

### Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

## General Statement

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

## Protection and Security

It is a legal requirement of the Data Protection Act 1998 to protect and secure personal data. The Information Commissioner's Office (ICO) recommends that:

*' Portable and mobile devices (including media) used to store and transmit personal information, the loss of which could cause damage or distress to individuals, should be protected using approved encryption software which is designed to guard against the compromise of information.*

*Organisations should encrypt any personal or sensitive data that is removed or accessed from outside an approved secure space. Examples of approved secure spaces include physically secure areas in schools, colleges, universities, local authorities and the premises of support contractors. This applies to both communication links (for example, SSL or IPSec VPNs) and to files held on electronic storage media (for example, hard drives, CDs, DVDs, USB sticks and memory cards). In particular:*

- *If secure remote access is not possible, users must only remove or copy personal or sensitive data from the organisation or authorised premises if the storage media, portable or mobile device is encrypted and is transported securely for storage in a secure location*
- *Organisations or users must securely delete personal or sensitive data when it is no longer required.*

## At our Schools

- ALL paper records are generally kept on site – including children's records and safeguarding records / sensitive data, which are stored securely
- All staff who keep records has use of an encrypted memory stick
- All images relating to children's learning are stored on an external hard drive, placed within the School safe and deleted when the children leave, unless being used on the school website or written materials.
- All Parents/carers / carers give permission for data collection and use of images

## Communication and Reporting

*We share a wide range of information about our Schools and the activities we undertake.*

### Annual written report to Parents/carers: children's achievements

- For children who are leaving us at the end of the summer term, we provide a spotlight observation pack on the child's progress through Early Years Foundation Stage. This report identifies areas of strength and areas for future development.
- The children have a spotlight observation every 6 months which details the children's learning and progress across the curriculum. This provides an opportunity to celebrate their child's successes, and to support their child in areas where there is a particular need for improvement. We encourage Parents/carers to contact the school if any issues arise regarding their child's progress or wellbeing. At any point in the year a parent/carer can book a meeting in with the child's keyworker.
- When children have special educational needs, or if they are making less than the expected progress, it is sometimes helpful to meet with Parents/carers more regularly. We have in place 6 weekly individual education plan meetings (IEP).

- The schools are using 2Simple Evidence Me, as a digital way of recording observations of children. Parents/carers/carers have to opt in to creating a profile for their child.
- Where a family uses English as an additional language, we welcome the presence of any other adult the parent/carer wishes to invite to a school meeting to act as interpreter.
- We will also make any reasonable adjustments to our arrangements if this will enable a parent with a disability to participate fully in a meeting at our school, or to receive and understand a communication.

### Prospectus

- The Schools prospectus contains a range of specified information to give Parents/carers a full picture of provision at our school. We update this for each school year.

### Website

- Our websites present a range of information about the school, for example: its ethos, contact details, the sessions offered. Links are available for access to key policies, OFSTED reports and other statutory requirements.

### Public access documents

- The schools make a range of documentation available to Parents/carers. We keep a master set in both schools office, and a copy can be made available on request, within reasonable time frames, usually ten working days.
- Our **PUBLICATION SCHEME** provides much more detail about the documents that we hold. In brief, **Public Access** documents include: minutes of governors' meetings, all school policies, including those that the governing body are required to draw up in relation to statutory requirements, our school development plan and self evaluation form, information regarding the Early Years Foundation Stage curriculum and a range of national and LA documentation, records about childrens learning, the wider policies and procedures that we use to run our schools and financial processes and budget documents.

### Home / School communication

- We send a monthly newsletter to Parents/carers by email and it is also uploaded to the school's website. It contains general details of school events and activities. We send other letters of a general nature when necessary. We also communicate via social media platforms. Each School has an active FACE BOOK page, which provides lots of information about childrens learning. Individual children cannot be identified in any images that are used, but we do show the backs of heads, hands etc.
- The schools encourage Parents/carers to share any issues about their child at the earliest opportunity. Staff see Parents/carers immediately, when possible. Where this is not possible, the parent/carer is requested to make an appointment. We always encourage Parents/carers to have a word with staff when they bring their children to school, or when they collect them after school. Where Parents/carers / carers present in an aggressive or intimidating manner, or at an inappropriate time they will be requested to make an appointment, or leave the premises.
- If a child is absent from school, and we have had no indication of the reason, we contact Parents/carers / (by telephone) to find out the reason for the absence. We monitor all absences for the reasons of safeguarding, ensuring children are accessing early years education and for audits with regard to our funding. Where a child is subject to a child protection plan it is our duty to inform the local Children's Team of unexplained absence or if we think a child is missing in education.

### Communication with regard to children's absence:

- Our Schools understand the impact attendance has on a child's development, progress and well-being, and therefore follows this procedure to improve outcomes. Children's attendance is not statutory, because they are below five years of age.

Days of absence	Action	By who
Day 1 - 3 no contact made	Telephone parent	School Office
Day 4 no contact made	Telephone parent, if no contact – Home Visit to be completed	Family Leader and SLT
Week 2	If continued absence after contact, telephone daily & continue try to establish x 2 in the week. Send a letter home asking Parents/carers to make contact. Contact Health Visitor and ask to visit	Family Leader and SLT discuss and Cause for concern form may be completed (CfC)
Week 3	Letter re possible removal of place and / or referral to	SLT / Designated Person

	children's team or child missing in education team, if wider concerns are presented.	
Week 4	Telephone twice in week four and then remove place. Refer to children missing in education team	SLT / Designated Person.

**Note: At any point, if there are safeguarding concerns, discussions with The integrated Front door by SLT/DSL**

- Under the Early Years Foundation Stage statutory framework (2014) we are obliged to work in partnership with, and to communicate regularly with those professionals who also support children attending our setting. This may lead to occasions when children's learning, development and care needs are discussed with the third party to ensure we provide the best opportunities for the child.
- In cases where Parents/carers are separated when parental responsibility is confirmed to us, for example (biological mother / fathers name is present on the birth certificate) we endeavour to share information about a child's learning and development with both Parents/carers unless presented with evidence, for example a court order to say that this right has been revoked. For further information about parental responsibility please see our parental responsibility policy

**Communication with other schools and outside agencies**

- Toward the end of their final term of Nursery, we pass on information about the children to their intended feeder schools. We try to give a view of the whole child, their strengths and next steps, their interests and needs. There is also an electronic transfer of information about achievement against the EYFS (OPAL spotlights) – these are all shared with Parents/carers prior to the transition to school.
- We recognise that children have diverse needs, and we are supported by various agencies and groups of professionals who keep us informed on better ways to meet these needs, so that children may participate more fully. Support comes from medical services (such as speech and language therapy, occupational therapy and physiotherapy), from child development centres, from local doctors and specialists, and from school nurses, IDS, Health Visitors and Community Nurses. It also comes from various welfare focused services, such as Educational Welfare and Social Services. We exchange information, reports and documentation with these professionals as required supporting each child's learning and development. Parents/carers / carers are made aware of this via both schools prospectus.

**Safeguarding**

- We recognise that children have a fundamental right to be protected from harm, that their protection is a shared responsibility, and that our school should provide a safe and secure environment. **We have a legal duty under Section 175 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.**
- Therefore when any member of staff has concerns about a child, **these will be passed on to the head teacher, or in her absence a member of the senior leadership team (SLT) or the designated child protection officers for that day. These individuals have received training to enable them to fulfil this role.**
- A note will be made of the incident / concern and held within a secure location to which the head teacher / SLT and have access. The head teacher may share this information with the Social Services.
- We hold information on pupils in our school, and from time to time we are required to pass some of this information to others for educational purposes. Appendix A contains details about the types of data we hold, why we hold that data, and who we may pass it on to, (also see publication scheme). This is a requirement under the Data Protection Act 1998. **Parents/carers have a right to view the information we hold and may request this in writing. We will respond to any request within 5 working days**

**Communication within our school**

- So that we all know what is going on, there is a notice board for staff messages.
- All our procedures are detailed in the Staff Handbook.
- Written communications may be delivered or by email, post or placed in staff trays
- Staff members' personal details will not be shared with other members of staff without their consent.
- All staff have a responsibility to ensure they actively seek information with regard to the day to day running of the school this includes checking their work email account every week, as a minimum.

**Electronic communication – please also refer to ICT and E-Safety Policies**

- We use the Internet and email, and have a school websites.

- All school members may communicate with others through the Internet. There are many benefits, but also a number of possible dangers. Rules for the use of the Internet are contained in our Safe Use of the Internet policy. Safeguards in our school include constant adult supervision; sites filtered by our service provider, controlled links, and use of child friendly search engines.
- The Internet may be used in lessons 'live' for lesson content and for interactive teaching programs.
- Our school websites provide information about the schools, and an opportunity to celebrate children's work with the worldwide learning community.
- Members of staff and governors, all have their own Warwickshire County Council provided email accounts.
- We have a Face Book page at each School to communicate information about school events, children's learning and support and advice on a regular basis

### **Use of photographs and names**

- Photographs are used in and around the school for many purposes, to exemplify EYFS in action, displays, records of practical work and records of important school events and to document and share learning.
- We may use photographs of children or their work when communicating with Parents/carers and the wider community, in newsletters, in the school prospectus, on the school website, or in the governors' report to Parents/carers. The local or national press may on occasion publish photographs of children participating in events at school. Images of children may also be used in documentation, articles and publications on a local and national level, for example by the Dfe.
- Parental permission is obtained before using photographs of children or their work as detailed above.
- Lists of those children for whom permission has NOT been given will be held by the school office.

## **Appendix A: How to Request Information**

You can request copy information about your child or our policies from the contact details below. We will provide you with this information within 10 working days. A lot of information is available on our website. You can contact the school by telephone, fax, email or letter.

Email: [admin1002@welearn365.com](mailto:admin1002@welearn365.com)  
 Telephone/Fax: **02477 752 392**  
 Contact Address: **Bedworth Heath Maintined Nursery School  
 Glebe Avenue, Bedworth , CV12 0DP**

Email: [admin1000@welearn365.com](mailto:admin1000@welearn365.com)  
 Telephone/Fax: **01827 794164**  
 Contact Address: **Atherstone Nursery School  
 Kings Avenue, Atherstone , CV9 1JZ**

**Appendix 2:** Procedures for responding to subject access requests made under the Data Protection Act 1998

### **Rights of access to information**

There are two distinct rights of access to information held by schools about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

### **Actioning a subject access request (FOI)**

1. Requests for information must be made in writing; which includes email, and be addressed to Mrs Nicci Burton. If the initial request does not clearly identify the information required, then further enquiries will be made.

2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

*(This list is not exhaustive)*

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Headteacher should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The school may make a charge for the provision of information, dependant upon the following:

- Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided and time taken to access and collate the material.
- Should the information requested be personal information that does not include any information contained within educational records Schools can charge to provide it, please see the Schools Publication Scheme
- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information and time taken to access and collate the material can be made by the Headteacher.

5. The response time for subject access requests, once officially received, is 40 days (**not working or school days but calendar days, irrespective of school holiday periods**). However the 40 days will not commence until after receipt of fees or clarification of information sought

6. The Data Protection Act 1998 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**

7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40 day statutory timescale.

8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.

9. If there are concerns over the disclosure of information then additional advice should be sought.

10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

### **Complaints in relation to this policy**

Complaints about the above procedures should be made to the Chairperson of the Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.

The Information Commissioner can deal with complaints, which are not appropriate to be dealt with through the school's complaints procedure.

**Contacts**

If you have any queries or concerns regarding these policies / procedures then please contact Nicci Burton, Executive Headteacher.

Further advice and information can be obtained from the Information Commissioner's Office, [www.ico.org.uk](http://www.ico.org.uk) or telephone

*This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Senior Leadership Team and the Governing Body*