Data Protection Policy

Reviewed 12 Oct 2026

Next Review Oct 2027

Fairfields School

Document Version Control

Change History

Issue	Date	Comments

Approved by Governors 12.10.2026

1. Aims

Our school aims to ensure that all personal data collected about staff, pupils, parents and carers, governors, visitors and other individuals is collected, stored and processed in accordance with UK data protection law.

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

Fairfields School is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller, the handling of such data in line with the data protection principles (see below), the General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act 2018 (DPA 2018).

2. Legislation and guidance

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR) – the EU GDPR was incorporated into UK legislation, with some amendments, by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2020
- Data Protection Act 2018
- Data (Use and Access) Act 2025

It is based on guidance and resources published by the Information Commissioner's Office (ICO) on the UK GDPR and a policy paper from the Department for Education (DfE) on Generative artificial intelligence in education.

It meets the requirements of the Protection of Freedoms Act 2012 when referring to our use of biometric data.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child's educational record.

Data protection legislation shall be monitored and implemented to remain compliant with all requirements.

3. Definitions

TERM	DEFINITION
Personal data	Any information relating to an identified, or identifiable, living individual, whether identified directly or indirectly. This may include the individual's: • Name (including initials) • Identification number • Location data • Online identifier, such as a username It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.

TERM	DEFINITION
Special categories of personal data	Personal data which is more sensitive and so needs more protection, including information about an individual's: • Racial or ethnic origin • Political opinions • Religious or philosophical beliefs • Trade union membership • Genetics • Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes • Health – physical or mental • Sex life or sexual orientation
Processing	Any activity that involves the use of personal data such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual, and also includes transmitting or transferring personal data to third parties.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing of personal data. The data controller is responsible for establishing practices and policies in line with the UK GDPR.
Data processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller. A data processor acts only on the instructions of the data controller and does not determine the purposes or means of the processing.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

4. The data controller

Our school processes personal data relating to parents, pupils, staff, governors, visitors and others, and therefore acts as a data controller.

The school is registered with the ICO as legally required and will renew its data protection fee to the ICO annually.

5. Roles and responsibilities

This policy applies to **all staff** employed by our school, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

5.1 Governing Body

The governing board has overall responsibility for ensuring that our school complies with all relevant data protection obligations and is therefore the data controller. The headteacher acts as the representative of the data controller on a day-to-day basis. The Headteacher may delegate data controller duties as necessary.

5.2 Data protection officer

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on school data protection issues.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

The DPO monitors internal compliance and informs and advises the school about their data protection obligations and acts as a contract point for data subjects and the supervisory authority. The DPO is independent, an expert in data protection, adequately resourced and reports to the highest management level.

Our DPO is: **Ruth Hawker**, Plumsun Ltd, Almshouses, Great Brington, Northampton, NN7 4JJ

Tel: **08458622684**

5.3 All staff

Staff are responsible for treating all personal information in a confidential manner and follow the guidelines set out in this document. This includes:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
    - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
    - If they have any concerns that this policy is not being followed
    - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
    - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
    - If there has been a data breach
    - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
    - If they need help with any contracts or sharing personal data with third parties

5.4 External Parties

Any data processors, processing data on behalf of the school (external organisations) will confirm that they are achieving their obligations under the GDPR regulations and are registered with the ICO.

6. Data protection principles

We adhere to the principles relating to processing personal data set out in the UK GDPR, which requires personal data to be:

- Processed lawfully, fairly and in a transparent manner;
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed;
- Accurate and, where necessary, kept up to date;
- Kept for no longer than is necessary for the purposes for which the personal data are processed;

- Processed in a manner that ensures appropriate security of the personal data;
- Not transferred to another country without appropriate safeguards in place; and
- Handled in a way that respects the rights of data subjects and allows them to exercise those rights

We are responsible for and must be able to demonstrate compliance with the data protection principles listed above.

This policy sets out how the school aims to comply with these principles.

7. Collecting personal data

7.1 Lawfulness, fairness and transparency

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law. For example the data needs to be processed so that:

- the school can **fulfil a contract** with the individual
- the school can **comply with a legal obligation**
- the **vital interests** of the individual or another person are ensured i.e. to protect someone's life
- the school, as a public authority, can **perform a task in the public interest or exercise its official authority**
- the **legitimate interests** of the school (where the processing is not for any tasks the school performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing under data protection law:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given **explicit consent**
- The data needs to be processed to perform or exercise obligations or rights in relation to **employment, social security or social protection law**
- The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made **manifestly public** by the individual
- The data needs to be processed for the establishment, exercise or defence of **legal claims**
- The data needs to be processed for reasons of **substantial public interest** as defined in legislation
- The data needs to be processed for **health or social care purposes**, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- The data needs to be processed for **public health reasons**, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- The data needs to be processed for **archiving purposes**, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest

For criminal offence data, we will meet both a lawful basis and a condition set out under data protection law. Conditions include:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given **consent**
- The data needs to be processed to ensure the **vital interests** of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made **manifestly public** by the individual

- The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of **legal rights**
- The data needs to be processed for reasons of **substantial public interest** as defined in legislation

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect, or use personal data in ways which have unjustified adverse effects on them.

7.2 Limitation, minimisation and accuracy

- We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.
- If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.
- Staff must only process personal data where it is necessary in order to do their jobs.
- We will keep data accurate and, where necessary, up-to-date. Inaccurate data will be rectified or erased when appropriate.
- In addition, when staff no longer need the personal data they hold, they must ensure it is deleted or anonymized. This will be done in accordance with the school's record retention schedule, in line with the Information and Records Management Society's toolkit for schools.

8. Sharing Personal Data

Generally, we are not allowed to share personal data with third parties unless certain safeguards and contractual arrangements have been put in place.

There may be circumstances where the school is required to share personal data. These include, but are not limited to, situations where:

- There is an issue with a pupils, parent or carer that puts the safety of staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils. For example, IT companies. When doing this we will
    - Only appoint suppliers or contractors that can provide sufficient guarantees that they comply with UK data protection law
    - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
    - Only share data that the supplier or contractor needs to carry out their service.

We will also share personal data with law enforcement and government bodies where we are legally required to do so. We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personally data internationally, we will do so in accordance with UK data protection law.

9. Subject access requests and rights of individuals

9.1 Subject access requests

By law, individuals have a right to make a "Subject Access Request" (SAR) to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request in any form, they must immediately forward it to the Headteacher.

9.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

9.3 Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond within 1 month of receipt of the request (or receipt of additional information needed to confirm identity where relevant). However, we may tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month and explain why the extension is necessary.
- Will provide information free of charge

We may not disclose information for a variety of reasons such as if it:

- Might cause serious harm to the physical or mental health of the pupil or another person

- Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Would include another person's personal data that we can't reasonably anonymise, and we don't have the other persons consent it would be unreasonable to proceed without it
- Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or exam scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

9.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time
- Receive certain information about the data controller's processing activities
- Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Object to processing that has been justified on the basis of public interest, official authority or legitimate interests
- Challenge decisions based solely on automated decision making or profiling (i.e. making decisions or evaluating certain things about an individual based on their personal data with no human involvement)
- Be notified of a personal data breach (in certain circumstances)
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

9.5 Right to be Forgotten

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped, and all their personal data is erased by us including any data held by contracted processors.

10. Parental requests to see the educational record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

If the request is for a copy of the educational record, the school may charge a fee to cover the cost of supplying it.

This right applies as long as the pupil concerned is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

11. Photographs and videos

As part of our school activities, we may take photographs and record images of individuals within our school.

Due to carrying out our public duty, the school does not ask for consent from parents when making decisions to use pictures and social media to promote educational progression of pupils for parents. It also forms evidence of educational attainment for Ofsted and the DFE. However, the school does encourage parents to raise any safeguarding concerns to the school, and staff will respond in a proactive manner.

Photographs and social media are used to ensure that when on visits, evidence of pupils educational attainment is recorded. This is for educational use only and informs the parents of the students progression. The school takes safeguarding concerns seriously, and so a statement reflects this, should there be any concerns regarding their pupils.

The Information Audit and Privacy Notice provides information regarding the use of photographs used on the website and in electronic newsletters. Photographs and videos are only captured for educational purposes and are not shared with external parties

12. Artificial Intelligence

Artificial intelligence (AI) tools are now widespread and easy to access. Staff pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Gemini. Fairfields School recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data.

To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.

If personal and/or sensitive data is entered into an unauthorised generative AI tool, Fairfields School will treat this as a data breach and will follow the personal data breach procedure outlined in appendix 1.

13. Data protection by design and default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see section 6)
- Completing data protection impact assessments (DPIAs) where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Appropriate safeguards being put in place if we transfer any personal data outside of the UK, where different data protection laws may apply
- Maintaining records of our processing activities, including:
    - For the benefit of data subjects, making available the name and contact details of our school and DPO, and all information we are required to share about how we use and process their personal data (via our privacy notices)
    - For all personal data that we hold, maintaining an internal record of the type of data, type of data subject, how and why we are using the data, any third-party recipients, any transfers outside of the UK and the safeguards for those, retention periods and how we are keeping the data secure

14. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

The following guidelines are in place for staff in order to reduce the risk of personal data being compromised:

- Paper copies of data or personal information should not be take off the school site unless the data controller has provided permission to do so (e.g. emergency information for educational visits). The data should not be left unattended under any circumstances. This should be signed in and out of the office.
- Unwanted paper copies of data, sensitive information or pupil files should be shredded. This also applies to handwritten note that reference any person by name.
- Care to be taken not to leave personal data in printer trays or photocopiers.
- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data, are kept in locked cupboard when not in use.
- The school operates a clear desk policy in regard to personal data
- Passwords that are at least 10 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

These guidelines are clearly communicated and any staff member who intentionally breaches this conduct will be disciplined in line with the policy.

15. Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

16. Personal data breaches

The school will make all reasonable endeavours to ensure that there are no personal data breaches. In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

All breaches will be reported to the Data Controller (The Headteacher), who will report to the DPO. The DPO will assess whether the breach needs to be reported to the ICO.

Immediate action will be taken to review how the breach occurred, and make any necessary changes to procedures to ensure that the same problem does not arise again.

We will also notify the data subject where we are legally required to do so.

17. Training

We are committed to ensuring that staff are aware of data protection policies and legal requirements. All staff and governors are provided with data protection training as part of their induction process. GDPR awareness amongst staff will be refreshed annually, through the sharing of GDPR Fact Sheets. Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

18. Complaints

We take any complaints about how we collect and use personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting the School Business Manager bursar@fairfields.northants-ecl.gov.uk or 01604714777

Upon receiving a complaint, we will:

- Acknowledge receipt of the complaint within 30 days of receiving it
- Without undue delay, take appropriate steps to respond to the complaint, including:
    - Making appropriate enquiries based on the circumstances of the complaint
    - Keeping the complainant informed on the progress of the investigation
- Without undue delay, inform the complainant of the outcome of the investigation

19. Monitoring arrangements

This policy will be reviewed annually and approved by the full governing board.

- **Appendix 1: Personal data breach procedure**

This procedure is based on guidance on personal data breaches produced by the Information Commissioner's Office (ICO).

On finding or causing a breach, or potential breach, the staff member, governor or data processor must immediately notify the data protection officer (DPO)

The DPO will investigate the report and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:

- Lost
- Stolen
- Destroyed
- Altered
- Disclosed or made available where it should not have been
- Made available to unauthorised people

Staff and governors will cooperate with the investigation (including allowing access to information and responding to questions). The investigation will not be treated as a disciplinary investigation.

If a breach has occurred or it is likely that is the case, the DPO will alert the headteacher and the chair of governors.

The DPO will make all reasonable efforts to contain and minimise the impact of the breach. Relevant staff members or data processors should help the DPO with this where necessary, and the DPO should take external advice when required (e.g. from IT providers). (See the actions relevant to specific data types at the end of this procedure)

The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen before and after the implementation of steps to mitigate the consequences

The DPO will work out whether the breach must be reported to the ICO and the individuals affected using the ICO's self-assessment tool

The DPO will document the decisions (either way), in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored on the school's computer system.

Where the ICO must be notified, the DPO will do this via the 'report a breach' page of the ICO website, or through its breach report line (0303 123 1113), within 72 hours of the school's awareness of the breach. As required, the DPO will set out:

- A description of the nature of the personal data breach including, where possible:
  - The categories and approximate number of individuals concerned
  - The categories and approximate number of personal data records concerned
- The name and contact details of the DPO
- A description of the likely consequences of the personal data breach
- A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned

If all the above details are not yet known, the DPO will report as much as they can within 72 hours of the school's awareness of the breach. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible

Where the school is required to communicate with individuals whose personal data has been breached, the DPO will tell them in writing. This notification will set out:

- A description, in clear and plain language, of the nature of the personal data breach
- The name and contact details of the DPO

- A description of the likely consequences of the personal data breach
- A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned

The DPO will consider, in light of the investigation and any engagement with affected individuals, whether to notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies

The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:

- Facts and cause
- Effects
- Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored on the school's computer system

The DPO and headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible

The DPO and headteacher will meet regularly to assess recorded data breaches and identify any trends or patterns requiring action by the school to reduce risks of future breaches

Actions to minimise the impact of data breaches

We set out below the steps we might take to try and mitigate the impact of different types of data breach if they were to occur, focusing especially on breaches involving particularly risky or sensitive information. We will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error
- If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the [ICT department/external IT support provider] to attempt to recall it from external recipients and remove it from the school's email system (retaining a copy if required as evidence).
- In any cases where the recall is unsuccessful or cannot be confirmed as successful, the DPO will consider whether its appropriate to contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way
- The DPO will endeavor to obtain a written response from all the individuals who received the data, confirming that they have complied with this request
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted
- If safeguarding information is compromised, the DPO will inform the designated safeguarding lead and discuss whether the school should inform any, or all, of its 3 local safeguarding partners.

Other types of breach that you might want to consider could include:

- Details of pupil premium interventions for named children being published on the school website
- Non-anonymised pupil exam results or staff pay information being shared with governors

- A school laptop containing non-encrypted sensitive personal data being stolen or hacked
- The school's cashless payment provider being hacked and parents' financial details stolen
- Hardcopy reports sent to the wrong pupils or families.