

St Thomas More Catholic Primary School, Kidlington

AIMS

This policy sets out the Dominic Barberi Multi Academy Company's commitment to the lawful and fair handling of personal data in accordance with the Data Protection Act 1998.

For detailed guidance on Data Protection and procedures, please refer to the Data Protection Manual.

BACKGROUND

The Data Protection Act 1998 ("the Act") regulates the holding and processing of personal data - that is information relating to living individuals, which is held either on the computer or in some cases in manual form. The Act also gives rights to individuals whose personal information is held by organisations.

The Dominic Barberi Multi Academy Company needs to collect and use personal information in order to carry out its functions effectively. Information can be held concerning its current, past and prospective employees, suppliers, service users, residents and others with whom the Dominic Barberi Multi Academy Company communicates.

The Dominic Barberi Multi Academy Company and in some circumstances its individual employees could face prosecution for failure to handle personal data in accordance with the Act.

POLICY STATEMENT

Any personal data which the Dominic Barberi Multi Academy Company collects, records or uses in any way whether it is held on paper, computer or other media will be subject to appropriate safeguards to ensure that the Dominic Barberi Multi Academy Company complies with the Act.

The Dominic Barberi Multi Academy Company fully endorses and adheres to the eight Data Protection Principles which are set out in the Act and summarised below:

Personal data shall be:

1. Fairly and lawfully processed
2. Processed for specified and lawful purposes and not in any other way which would be incompatible with those purposes
3. Adequate, relevant and not excessive

4. Accurate and kept up to date
5. Not kept for longer than is necessary
6. Processed in line with the data subject's rights
7. Kept secure
8. Not transferred to a country which does not have adequate data protection laws.

ACTION

In order to meet the requirements of the data protection principles and its obligations under the Act, the Dominic Barberi Multi Academy Company will ensure the following:

1. Renew its entry of the Register of Notifications held by the Information Commissioner's Office;
2. Maintain a register of particulars about the types of personal data the Dominic Barberi Multi Academy Company holds, purposes for which it is held and used and types of organisations to which personal data may be disclosed;
3. Appoint officers with specific responsibility for data protection in the Dominic Barberi Multi Academy Company;
4. Any forms used to collect data will contain a 'fair processing notice' to inform the data subject of the reasons for collecting the personal information and the intended uses;
5. Any personal information that has been collected will be used only for the purposes for which it was collected;
6. Data subjects (individuals to whom the personal information relates) are able to exercise their rights under the Act, including the right:
 - to be informed that their personal information is being processed
 - of access to their personal information
 - to correct, rectify, block or erase information that is regarded as wrong
7. Personal data will only be disclosed to third parties when it is fair and lawful to do so in accordance with the Act and with any Information Sharing Protocols;
8. Sensitive personal data will only be processed with the explicit consent of the data subject or if an exemption applies under the Act. Sensitive data is personal data about an individual's racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sex life, details of the commission or alleged commission of any offence and any court proceedings relating to the commission of an offence;

9. Procedures are in place to check the accuracy of personal data collected, retained and disclosed;
10. Review the time that personal information is retained or stored to ensure that it is erased at the appropriate time;
11. Compliance with the Code of Good Practice set out in ISO 17799 which sets out the requirements for an Information Security Management System;
12. All officers who hold or process personal information will receive appropriate training in order to comply with the Act; and
13. Audit compliance with this policy and the Act and any incidents involving breaches of this policy or the Act are recorded, analysed and disciplinary action taken as appropriate.
14. This policy is reviewed regularly and updated when necessary

FURTHER INFORMATION

Detailed guidance on complying with the Data Protection Act and procedures to be followed can be found here:

<https://ico.org.uk/for-organisations/guide-to-data-protection/>

The Information Commissioner's Office (ICO) is the independent authority set up to monitor compliance with the Act. It also issues guidance and good practice notes. The ICO's website address is www.ico.gov.uk

The ICO can consider complaints about an organisation's failure to comply with the Act following the initial reply from that organisation. Where appropriate, Oxfordshire County Council will consider complaints using the Corporate Complaints Procedure, however it may refer the complainant directly to the ICO.

POLICY REVIEW

This policy will be reviewed by the Board of Directors at least every three years or sooner to ensure that it continues to remain legally compliant and meet the responsibilities of the Dominic Barberi Multi Academy Company

Responsible Officers: Company Secretary

Date:

Review Date:

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COMPLAINTS FORM

Notes

The form overleaf can be used by any person making a complaint about the operation of the school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, eg school neighbours.

Anyone receiving this form should be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process should be nominated to give help.

If it is appropriate for a member of staff to look into this complaint, it should be returned to the Principal.

If it is appropriate that it should be dealt with by the Academy Committee, it should be returned to the Secretary to the Academy Committee at the school.

ST THOMAS MORE CATHOLIC PRIMARY SCHOOL

COMPLAINTS FORM

Please complete and return to Chair of Representative Committee to the Academy Committee, who will acknowledge receipt and explain what action will be taken.

Your name:

Address:

.....

.....

Postcode:

Daytime telephone number:

Evening telephone number:

If applicable, name of child(ren) at the school:

.....

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)

Your relationship to the Academy, e.g. parent, carer, neighbour, member of public:

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official Use:

Date of acknowledgement sent:

By Whom:

Complaint referred to:

Date:

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Sharing your concerns about your child's education A guide for parents

Catholic schools aim to be places where love of one's neighbour is obvious at all times. As St John reports, Christ said to his disciples at the Last Supper "This is my commandment, that you love one another, as I have loved you".

Catholic schools are staffed by teachers who are not only qualified and expert in their own field but who also, having freely chosen to become teachers in a Catholic institution, commit themselves to care for and help children in every way possible consistent with Catholic doctrine, principles and the Catholic ethos of the school. Nevertheless, as in any organisation, parents may from time to time raise a concern.

St Thomas More Catholic Primary School recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact the Principal.

The Academy Committee has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education.

The Principal is responsible for making decisions on a daily basis about the School's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school.

How do I complain to the School?

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be the class teacher. This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the Principal who will look into your concern.

If you are unhappy with the Principal's response you should write with your complaint to the Chair of the Academy Committee/Secretary to the Academy

Committee at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION'.

This is how your complaint will be handled

Within 5 working days the Chair of the Academy Committee will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

Within 5 working days of receiving the form the Chair will decide whether mediation should be offered to help you and the Principal explore possible resolution.

If mediation is agreed, the Chair of the Academy Committee will endeavour to set up the meeting **within 10 working days**. If that timescale is not possible you will be told the reason.

If mediation is not deemed appropriate or if it is not successful, the Chair of the Academy Committee or Secretary will set up a panel of Committee Representatives to meet **within 15 working days** to consider your complaint. The Secretary will provide details of the hearing and will request any further information you may wish to provide.

The complaints panel will consist of three Committee Representatives who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a secretary who will take notes during the hearing and will stay with the panel while they make their decision in case Committee Representatives need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision without fear or favour.

Five working days before the hearing the secretary will send to you, the complainant, the Principal and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing.

At the hearing

Parents may be accompanied by a friend or supporter

1. You and the Principal will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The Principal may question you
4. The panel will question you
5. The Principal will be invited to explain the school's actions
6. You, the complainant may question the Principal
7. The panel will question the Principal

8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The Principal will then be invited to sum up the Academy's actions and response to the complaint.
11. The chair will explain that you and the Principal will hear from the panel **within five working days**.
12. Both you and the Principal will leave together while the panel decides on the issues.
13. The Secretary will remain with the panel.

Can I take my complaint further?

Not all complaints can be resolved to the satisfaction of the complainant. For example, there will be occasions, when after investigation, the staff member has been seen to act appropriately and reasonably. Therefore, it is possible that a complaint may not be upheld.

The Board of Directors of the Dominic Barberi Multi Academy Company cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

However, if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Director of Schools at the Diocesan Education Service. The letter should include the time limit for any such appeal.