Bishop Monkton CofE Primary Archive Policy

Introduction

As part of Bishop Monkton C of E Primary School's programme to comply with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA), it has a suite of Information Governance policies.

This Archive Policy outlines how the school will maintain a record of its former pupils and staff in such a way as to comply with the UK GDPR and DPA. The policy is based on compliance with Article 5 (the principles) and on Article 89 (safeguards and derogations).

This policy should be read in conjunction with the other policies in the School's Information Governance policy framework and particularly with the Records Management Policy, and the application of its retention schedule, from which this policy provides significant exceptions.

Purpose

Bishop Monkton C of E Primary School wishes to create and preserve an organisational memory of its history, including its pupils and staff. This organisational memory is expected to contribute to the wider social memory of the community which the school serves.

In general, records of pupils and staff are to be destroyed once their purpose is complete. However the school wishes to maintain a record of its own history, and its role within the community, rather than simply forgetting those individuals completely, which is what would happen if the retention schedule is applied in full.

This policy sets out exceptions to that schedule. In order to remain compliant there are some criteria to apply which are set out below, covering the selection of data, and limits on how personal data found in the archive can be used.

Use of archive records

Uses for the archive might include:

- Historical displays by the school or community, perhaps when a significant anniversary occurs
- Loan of items to museums or other archives for their own displays or exhibitions
- Academic research into educational, social or other topics
- Reference to individuals if they become a focus of interest in the future (although subject to their reasonable expectations of privacy)

Any use of the archive will be constrained as follows:

- No decision may be made about an individual using his or her data drawn from the archive
- No unwarranted harm or distress should be caused to an individual by the inclusion or use of his or her data in the archive

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- Where a purpose can be fulfilled using anonymous or pseudonymous data, then only anonymised or pseudonyimised data will be disclosed

Anonymisation before further use or processing is the default, although it is likely very many uses (especially exhibitions and displays) will require fully identifiable data

Security and control of the archive

The archive will become another information asset and as such should be added to the information asset register.

The school considers that its archive does fulfil a public interest in maintaining its own memory and that of the community. The UK GDPR provides that an archive maintained in the public interest is not incompatible with the original purpose for which the data was collected.

The information asset owner will be Office Manager. This person will ensure that the archive is subject to security measures, including:

- authorising disclosure to those wishing to use or access it (or refusing it)
- ensuring it is protected from loss or corruption (including as appropriate a catalogue; a recording out and in system; allowing only copies to be loaned or displayed)
- applying suitable contractual or other controls to ensure the constraints set out above are observed
- anonymising material before disclosure, unless the intended use requires identifiable data.

The asset owner will also ensure that new data sets are added to the archive at each year end or at other appropriate times. The data fields to be included are set out at Annex A.

Data subjects' rights

In general data subjects have the same rights over their data in the archive as anywhere else. The information asset owner will decide how to respond to requests to exert those rights.

Right be informed: reference to this policy will be included in relevant privacy notices.

Subject access: there is no need to search for or disclose data held only in the archive in response to a subject access request if to do so would require disproportionate effort.

Erasure: as the archive is maintained in the public interest erasure will usually be refused unless a compelling case for it is made. Note that although data subjects may be been children when their data was collected this was not for the purpose of online ("information society") services, nor in reliance on their consent.

References

The UK GDPR Article 5(1)(e) : non-retention of personally identifiable data
Article 89 (Safeguards and derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes) and recitals 26, 29, 33, 50, 60, 61, 62, 75, 78, 156,
DPA 2018, Section 19 of which provides further safeguards and restrictions. In particular, this means those wishing to use personal data from the archive must:

- be able to demonstrate why they cannot use anonymised data;
- consider whether they could use pseudonymisation to make it more difficult to link the personal data back to specific individuals;
- be able to demonstrate that the processing is not likely to cause substantial damage or distress to individuals;

- not use the data to take any action or make decisions in relation to the individuals concerned (unless carrying out approved medical research as defined in section 19(4) of the DPA 2018); and
- consider other appropriate safeguards and security measures.

DPA 2018, Schedule 1 condition 4

Annex A:

Selection of data fields

For pupils, at the end of their last year in the school, the following data will be added to the archive

- Date of birth and pupil identifier
- Date of entry to, and leaving, the school
- SATS results
- Portrait photo
- Next school or other educational establishment (or none)
- Names of siblings attending the school

For staff, at the end of their employment:

- Name
- Portrait photo
- Period of employment
- Age at beginning and end of employment
- Reason for leaving (may be suppressed)
- For teachers, age range or SATS levels taught
- Other roles (eg business manager, SENCO, subject or faculty head, management team role)

Governors:

- Name
- Period of service
- Specific role (eg Chair, safeguarding lead, parent representative)

Signed: Headteacher _Sally Cowling_____

Signed: Chair of Governors _Ashlea Costelloe_____

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