



**Isle of Man
Government**

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**Department of Education, Sport and Culture
Guidance for Transferring Pupil Data Off-Island**

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Summary

About this guidance

This document explains what action should be taken with pupil records when a school is advised that a pupil of compulsory school age is moving off-Island and will continue education in another location.

A pupil record is classed as personal data and as such will be treated according to the principles of data protection in the Isle of Man based on the General Data Protection Regulation (GDPR).

Who is this document for?

This document is for schools who are asked to provide pupil records to a school off-Island.

It may also be used for information by parents or carers and the wider public.

Key points

If a pupil of compulsory school age leaves the education system in the Isle of Man, their education record may be sent elsewhere.

A pupil record will be dealt with in accordance with data protection law.

Parental consent is required to send information to the new school.

Effective Date

This document is effective from October 2021. It will be kept under review and updated at least every two years.

Guidance for Transferring Pupil Data Off-Island

From time to time, a school will be notified that a pupil will be leaving the Island and will take up education elsewhere. In these instances their education record should be passed to the pupil's new school.

What information should be sent?

All records (paper, electronic, sensitive and non-sensitive) should be sent to a pupil's new school. Pupil records must reside with the current school or, if a pupil is no longer in education, with the last education establishment they attended.

Please note that schools or professionals who retain records of pupils who are no longer in their care are breaching the Data Protection Law (2018) regardless of their motivation for doing so. All original pupil documents should move with the pupil.

No part of an educational record may be removed or destroyed prior to transfer or transition. (Where an individual is no longer of school age, their file must be retained in its entirety by the last school they attended until they are 25 years of age).

A parental request to remove items from a pupil's record (for example, to give them a 'fresh start') must be denied.

Keep all records together. Child Protection and other sensitive records must not be separated from the rest of a pupil record (although they should be marked as confidential) and must move to the receiving school with the pupil.

The Data Protection Law allows for the exchange of sensitive information for safeguarding purposes and to fulfil public functions.

How should the information be sent?

Obtain the contact details of the new school from the parent /carer of the pupil(s) affected.

Obtain consent from the parent / carer of the pupil(s) to give the information to the new school. This consent is not required to be able to transfer the information but obtaining it is **best practice**.

Contact the new school to agree on how the record is to be sent. Great care should be taken during the transfer of the information to protect the data relating to pupil(s) involved.

- i. If the education record is to be sent by hard copy, a contact name must be obtained from the new school and the record must be sent

securely using either registered post or a courier service for which a recipient signature is required.

- ii. If the education record is to be sent electronically (via e-mail) the information should be password protected. The password should not be sent to the same e-mail address that the record has been sent to; an alternative means should be used, for example a phone call or text message. The receiving school should provide confirmation of receipt.

Who has responsibility for the transfer?

When a pupil transfers, the existing school has a responsibility to provide their file to the new school.

The transfer of a pupil record should be actioned in a timely fashion and certainly no longer than within five working days of the pupil transfer.

The transfer of a pupil record must always be done using a secure method.

Confirmation of receipt from the destination school should be obtained.

Associated Resources

The Department's privacy notice can be found [here](#).

Version Control

The business area that owns this document is DESC Data Protection Officer (DPO).

Version	Author	Date	Changes
V0.1	Rachel Birch	10.08.2021	First Draft
V0.1	n/a	n/a	Amendments following consultation – no amendments to be made
V0.1	Policy Hub	27.09.2021	Final Draft submitted to SLT (Policy Hub Edit)
V0.2	Rachel Birch	12.10.2021	Amendments following SLT review (if applicable). Request made to contact GTS regarding e-mail encryption from the RAN network. GTS confirmed that this is currently not available on RAN so password protection is the most secure method available presently. Department DPO has confirmed that there have been no historic incidents of pupil data transferred to or received by an unintended recipient. Received confirmation from Deputy CEO that this guidance document can be published.
V1.0	Policy Hub	12.10.2021	Version 1.0 published

Review Date

This document was issued in October 2021 and is due to be reviewed no later than October 2023.