



# Orchard Junior School

Growing together. **Branching out.**

## E-Safety Policy

<b>Last Review Date:</b>	July 2022
<b>Reviewer:</b>	FGB (from Curriculum)
<b>Review Cycle:</b>	3 yearly
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Orchard Junior School recognises the value and importance of ICT to everyone involved with our school. Both the internet and new technologies are a valuable resource and as such need to be used. It is important, however, to follow rules and guidelines to ensure that this 'use' is both appropriate and useful to all involved.

The purpose of this policy is to define safe practice for both staff and pupils at Orchard Junior School.

## **Pupils**

Pupils are introduced to Internet Safety early on in Year Three. Through a series of lessons they are taught about 'Staying SMART' on the internet. The CEOP materials are used during this series of lessons.

Following this series of lessons the children are introduced to our 'E Safety Rules'. These have been written by a CEOP ambassador here at school.

The pupils are required to sign this to show their understanding and are given time to ask questions. **See Appendix 1**

Pupils at Orchard Junior School then complete a number of E-Safety units throughout their time with us. These are progressive and relate to the increased emphasis that our world has on social media.

During lower school lessons, the focus is on keeping personal information safe. The children are taught to make use of 'adults they can trust' if they have a problem. During upper school lessons, we encompass this in encouraging pupils to be good 'Digital Citizens' and focusing on their online safety and behaviour.

The CEOP materials are used throughout the E-Safety lessons at Orchard Junior School and a link to these is available for parents on the school website.

## **Pupil access to the Internet**

Children have access to the Internet during lessons. They may also have access to the internet during playtimes and lunchtimes if attending homework club or if supervised by an adult. At Orchard Junior School, our Internet is filtered by Hampshire who is our service provider. The school has a flexible filtering service which enables management to block or allow websites as necessary. As part of our lessons, we acknowledge that no filtering system is 100%. Therefore, children are encouraged to report any inappropriate material to their teacher who, in conjunction with the technical support, will block the site.

## **Sanctions**

Pupils who break the 'E-Safety Rules' will be dealt with by following the schools behaviour policy. However, depending on the nature of the offence it may be necessary to 'lock' their account for a prescribed period of time.

## **E-Safety Concerns**

Children are encouraged to report anything that worries them to an adult they can trust. If this adult is a teacher or another adult in school, then the process by which the issue is dealt with follows 'Responding to incidents of misuse.' **See Appendix 2**

## **Staff**

All staff can use the school network (which includes internet and e-mail access). The school's network is available at all times and staff are able to use the internet for both professional and private use. Staff are asked to read, agree to and sign the 'Orchard Junior School, Acceptable Use Policy' at the commencement of their employment. **See Appendix 3.**

## **Data Protection**

All personal data should be dealt with according to the school's Data Protection Policy. **See Appendix 4.**

## **Blogging and website**

The school has a blog and website which both staff and children use. Staff can post their comments directly to the blog. 'Digital Leaders' get together weekly to update their year group blogs and are supervised so their posts are approved by a member of staff before being published. Anyone can comment on a blog post but all comments are moderated and approved before they are published.

For safety reasons, photos are not displayed with children's names. Where names are mentioned, they are first names only and this is never alongside a photo. Children whose photos are featured on the blog have been given permission by their parents. Each parent receives a 'photo permission' form before they start at Orchard Junior School in Year Three. **See Appendix 5**

## **Legislation**

Schools should be aware of the legislative framework under which this E-Safety Policy template and guidance has been produced. It is important to note that in general terms an action that is illegal if committed offline is also illegal if committed online. It is recommended that legal advice is sought in the event of such an e safety issue or situation. **See Appendix 6.**

## Appendix 1:



# ORCHARD JUNIOR E-SAFETY RULES

## I know that I must use the computers safely

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- I know that my teacher can watch what I do on the school computers.
- I will treat my username and password like my toothbrush - I will not let anyone else use it, and I will not use anyone else's.
- I will not share personal information about myself or others online.
- I will tell a teacher immediately about any unpleasant or inappropriate material or messages on the computer including anything that makes me feel uncomfortable when I see it.
- I understand that the school will look after me and my friends and can help if anything that worries me happens on the computer - even if I am using a computer at home.

## I know that I must use the computers responsibly

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- I understand that the computers are here for school work, and I will only play games on them or use them for personal use if I have permission.
- I will only put pictures or videos on the Internet from inside the school if I have permission.
- I understand that the school blocks some websites to protect me, and I will not try to bypass it.
- I will only download music, videos or apps onto the computer if they are related to my school work and I have permission from my teacher. I will make sure that I either own the music/video or have permission to use it.
- I understand that copying and pasting information from the internet and pretending it is my own work is wrong.

## I know that I must help look after the computers

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- If I have a problem with my computer, I will tell a teacher immediately so that the problem can be fixed - I won't leave it broken for the next person.
- I know that food and drink is not allowed in the ICT suite, and that I should not eat or drink around any computer
- I will only change settings on the computer if I am allowed to. I won't try to change anything that might cause the computer to go wrong.
- I know and understand the rules when using the netbooks in school.

I know that I must respect others when using the computers

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- I will always treat others the same way I would want them to treat me - just as I would when not using the computers. I will not use the computers to annoy or bully anyone.
- I will always be polite online. I appreciate that others may have different opinions.
- I will not take or share pictures or videos of anyone without their permission.

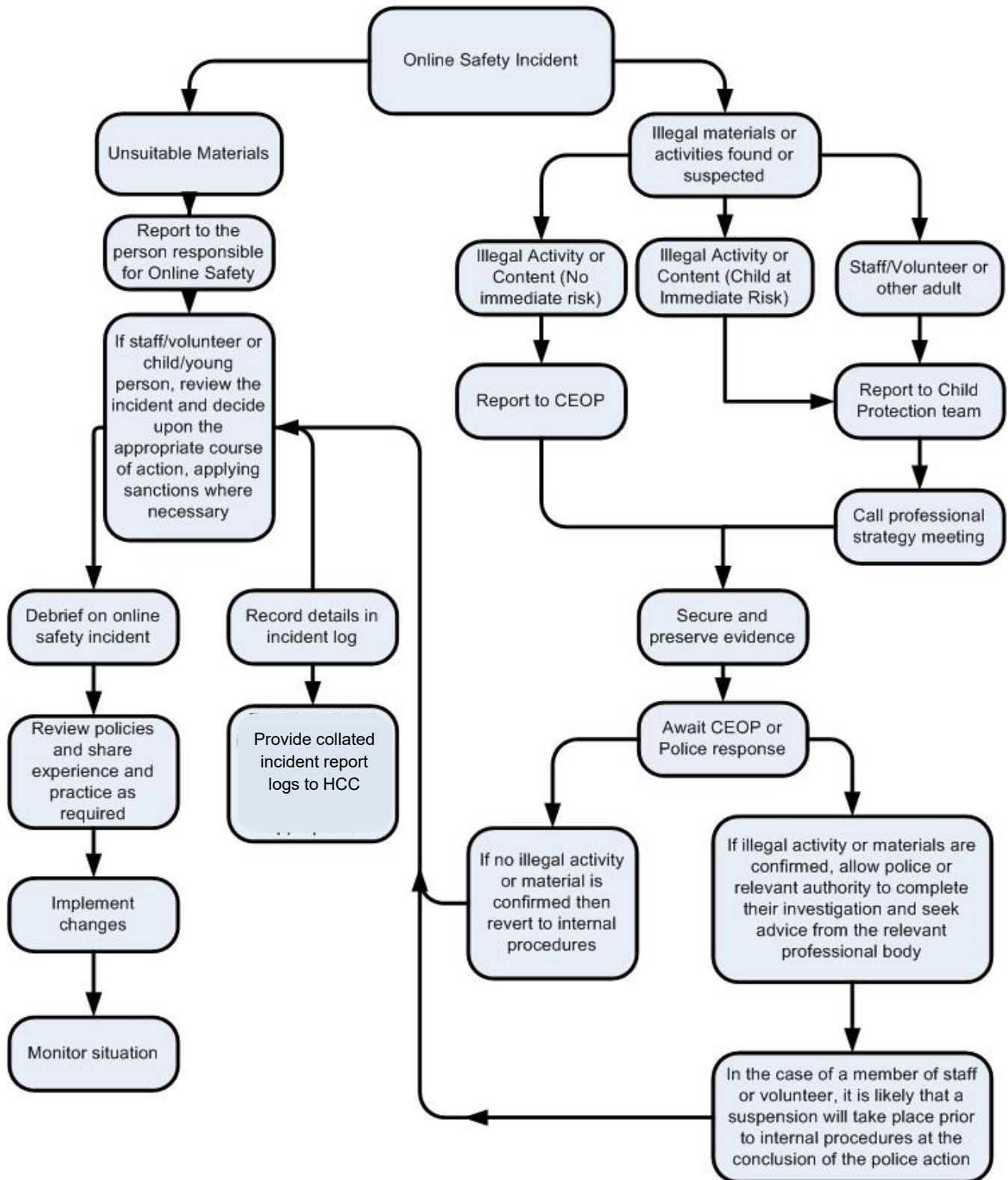
**I know that if I cannot keep to these rules, my right to use school computers and equipment will be removed.**

Signed:

Name:

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## Appendix 2: Orchard Junior School- Responding to incidents of misuse



## **Appendix 3:**

### **Orchard Junior School Staff Code of Conduct for ICT**

To ensure that members of staff are fully aware of their professional responsibilities when using information systems and when communicating with parents, pupils and others, they are asked to sign this code of conduct.

#### **School equipment and services**

- I appreciate that ICT includes a wide range of systems, including mobile phones, personal digital assistants, cameras, email, internet and HCC intranet access and use of social networking.
- Be careful about recording images of children and do this only when it is an approved educational activity. This can only be done on a device owned by the school when parents have given their express permission.
- I understand that my use of school information systems, internet and email may be monitored and recorded. I will only use school owned systems for confidential school business.
- I will not install any software or hardware without permission.
- I understand that it may be a criminal offence to use the school ICT system for a purpose not permitted and I understand that school information systems and hardware may not be used for personal or private use without the permission of the Headteacher.
  - I understand use for personal financial gain, gambling, political activity, advertising or illegal purposes is not permitted.
- I understand that I must not use the school ICT system to access inappropriate content, this includes making sure that all content displayed must be checked prior to use and will respect copyright, intellectual property rights and data protection rights. (This includes audio, video and software)
- I understand that I am unable to communicate information which is confidential to the school or which I do not have the authority to share.
- I understand the school is not liable for any financial or material loss to an individual user in accessing the Internet for personal use;

#### **Data protection and safeguarding**

- I will respect system security and I will not disclose any password or security information to anyone other than an authorised system manager.
- I will not use anyone's account except my own and I will not allow anyone else to use my account.
- I will ensure that personal data is stored securely and is used appropriately whether in school, taken off the school premises or accessed remotely.

- I will not routinely keep personal data on removable storage devices. Where personal data is required, it will be password protected/encrypted and removed after use.
- Any information stored on a removable device is the responsibility of the user.
- I will report any incidences of concern regarding children's safety to a Designating Safeguarding Lead or the Headteacher.
- I will report any incidences of inappropriate use or abuse of ICT and inappropriate electronic communications, whether by pupils or colleagues, to the Headteacher, or if appropriate, the Chair of Governors.
- I will ensure that any electronic communications with pupils, where permitted, are compatible with my professional role and that messages cannot be misunderstood or misinterpreted.
- Only use e-mail contact with pupils via the school's system.
- I will promote e-safety with pupils in my care and help them to develop a responsible attitude to system use, communication and publishing.

### **Social media and communication**

It is recognised that social networking has the potential to play an important part in many aspects of school life, including teaching and learning, external communications and continuing professional development. This policy therefore encourages the responsible and professional use of the Internet and social media to support educational delivery and professional development. The remainder of this document has been adapted from the more detailed School Social Media Policy.

- I understand the school's stance on use of social networking and given my professional role working with children, will exercise care in any personal use of social networking sites.
  - Profiles should be secure.
  - The name of the school should only ever be used appropriately.
  - Individual pupil's should never be mentioned or implied.
  - Do not accept pupils or past pupils as friends on social networking sites.
  - No photos containing pupils or school should be put onto social networking sites.
- I understand the level of authority required to communicate with parents and pupils using the various methods of communication
- Personal email or social media accounts must never be used to conduct school business. Any accounts created for this purpose must link to a school email address. The only exception is the use of professional networks (such as LinkedIn), where it is acceptable to use an account linked to a personal email address in both a professional and personal capacity;



- I will ensure that any electronic communication undertaken on behalf of the school, including email and instant messaging are compatible with my professional role and that messages do not present personal views or opinions and cannot be misunderstood or misinterpreted
- I understand that inappropriate use of personal and other non-school based ICT facilities can have implications for my employment at the school where this becomes known and that activities undertaken are inconsistent with expectations of staff working with children.
- Where staff have concerns about e-safety, these should be raised with the Headteacher. Advice can also be sought from professional associations and trade unions.
- Personal Internet search histories and the content of emails sent for personal use will be accessed by staff only according to the Council's Internet, Intranet and Email Monitoring Policy and School's disciplinary procedures, and only then when a legitimate concern has been raised by monitoring processes, legitimate concerns expressed by a colleague, or some other legitimate and objective complaint or incident;
- Any publication must comply with all of the requirements of the Data Protection Act 1998, and must not breach any common law duty of confidentiality, or any right to privacy conferred by the Human Rights Act 1998, or similar duty to protect private information;

The school may exercise its right to monitor the use of the school's ICT systems and accesses, to intercept email and to delete inappropriate materials where it believes unauthorised use of the school's ICT systems may be taking place, or the system may be being used for criminal purposes or for storing unauthorised or unlawful text, images or sound.

**I have read and understand the Policy for Staff Acceptable Use of ICT and understand that inappropriate use may be considered to be misconduct or gross misconduct and may, after proper investigation, lead to a disciplinary sanction or dismissal. I understand that if I need any clarification regarding my use of ICT facilities, I can seek such clarification from the Senior Leadership Team.**

SIGNED: .....

DATE:.....

NAME (PRINT): .....

## **Appendix 4: Data Protection Policy**

The school collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is the Data Controller, of the personal data that it collects and receives for these purposes. The school has a Data Protection Officer, who may be contacted on 02380 843162.

The school issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data

### **Purpose**

This policy sets out how the school deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

### **What is Personal Information/ data?**

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, bank details and other information that identifies them.

### **Data Protection Principles**

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes)
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive;

4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. Personal data shall be processed in a manner that ensures appropriate security of the personal data.

### **Duties**

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. Data Controllers have a General Duty of accountability for personal data.

### **Commitment**

The school is committed to maintaining the principles and duties in the GDPR at all times. Therefore the school will:

- Inform individuals of the identity and contact details of the data controller
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this.
- If the school plans to transfer personal data outside the EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information
- Inform individuals of their data subject rights
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek consent
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.

- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information ( known as Subject Access Requests)
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure that all staff and governors are aware of and understand these policies and procedures.

### **Complaints**

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at [www.ico.gov.uk](http://www.ico.gov.uk)

### **Review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 3 years. The policy review will be undertaken by the Data Protection Officer, Head teacher, or nominated representative.

### **Contacts**

If you have any enquires in relation to this policy, please contact our Data Protection Officer who will also act as the contact point for any queries.

## Appendix 5:



### Orchard Junior School

### Consent Form – Using Images of Children

Dear Parents

Occasionally, we may take photographs of the children at our school. We may use these images in our printed publications, as well as on our website or on display boards within the school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

From time to time, our school may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Pupils will often appear in these images, which may appear in local or national newspapers, or on televised news programmes.

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your child for promotional purposes. Please answer questions 1 to 6 below, **then sign and date the form overleaf.**

- 
- |   |   |          |
|---|---|----------|
| 1 | May we use your child's photograph that we produce in printed : |          |
|   | • Publications  | Yes / No |
|   | • Display boards  | Yes / No |
- 

- |   |  |          |
|---|--|----------|
| 2 | May we use your child's image on our website? <i>(Please note that websites can be viewed throughout the world and not just in the UK where UK law applies – no names are used on the website)</i> | Yes / No |
|---|--|----------|
- 

- |   |  |          |
|---|--|----------|
| 3 | May we record your child's image on video or webcam on our school website? | Yes / No |
|---|--|----------|
- 

- |    |  |          |
|----|--|----------|
| 4. | Are you happy for your child to appear in the media? <i>(E.g. local newspapers/television/radio)</i> | Yes / No |
|----|--|----------|
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5. May we give your child's name/class/group pictures to the School Photographer for the duration of the time your child is at Orchard Junior School? **Yes / No**

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6. Are you happy for your child to appear in group/class photos that have been taken by the school photographer. These pictures are shared with other families. **Yes / No**

By ticking "No", your child will not appear in the annual class and/or sporting team photos.

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Please also note the conditions for use of these photographs below.

***Please complete overleaf***

#### **Conditions of use**

1. This form is valid for the period of time your child attends our school. The consent will automatically expire after this time.
2. We will not re-use any photographs or recordings after your child leaves our school.
3. We will not use the personal details or full names (which means first name **and** surname) of any child or adult in a photographic image on video, on our website, in our school prospectus or in any of our other printed publications without good reason. For example, we may include the full name of a pupil in a newsletter to parents if the pupil has won an award.
4. If we name a pupil in the text, we will not use a photograph of that child to accompany the article without good reason. (See point 3 above.)
5. We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
6. We may include pictures of pupils and teachers that have been drawn by the pupils.
7. We may use group or class photographs or footage with very general labels, such as "a science lesson" or "making Christmas decorations".

8. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

**Please note** that the press are exempt from the Data Protection Act and may want to include the names and personal details of children and adults in the media.

Name of Child:.....

Class (if known):.....

Parent/Guardian signature:.....

Name (in block capitals):.....

Date:.....

Key information about your child will be taken from this form and where relevant: shared with school staff, kept in the school office paper files, stored electronically on the school computer network. If you would like further information, please read our School Privacy Notice and/or contact a member of school staff.

## **Appendix 6:**

### **Computer Misuse Act 1990**

This Act makes it an offence to:

- Erase or amend data or programs without authority;
- Obtain unauthorised access to a computer;
- "Eavesdrop" on a computer;
- Make unauthorised use of computer time or facilities;
- Maliciously corrupt or erase data or programs;
- Deny access to authorised users.

### **Data Protection Act 1998/ GDPR 2018**

This protects the rights and privacy of individual's data. To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully. The Act states that person data must be:

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequate, relevant and not excessive.
- Accurate.
- Not kept longer than necessary.
- Processed in accordance with the data subject's rights.
- Secure.
- Not transferred to other countries without adequate protection.

### **Freedom of Information Act 2000**

The Freedom of Information Act gives individuals the right to request information held by public authorities. All public authorities and companies wholly owned by public authorities have obligations under the Freedom of Information Act. When responding to requests, they have to follow a number of set procedures.

### **Communications Act 2003**

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.



## **Malicious Communications Act 1988**

It is an offence to send an indecent, offensive, or threatening letter, electronic communication or other article to another person.

## **Regulation of Investigatory Powers Act 2000**

It is an offence for any person to intentionally and without lawful authority intercept any communication. Monitoring or keeping a record of any form of electronic communications is permitted, in order to:

- Establish the facts;
- Ascertain compliance with regulatory or self-regulatory practices or procedures;
- Demonstrate standards, which are or ought to be achieved by persons using the system;
- Investigate or detect unauthorised use of the communications system;
- Prevent or detect crime or in the interests of national security;
- Ensure the effective operation of the system.
- Monitoring but not recording is also permissible in order to:
- Ascertain whether the communication is business or personal;
- Protect or support help line staff.
- The school reserves the right to monitor its systems and communications in line with its rights under this act.

## **Trade Marks Act 1994**

This provides protection for Registered Trade Marks, which can be any symbol (words, shapes or images) that are associated with a particular set of goods or services. Registered Trade Marks must not be used without permission. This can also arise from using a Mark that is confusingly similar to an existing Mark.

## **Copyright, Designs and Patents Act 1988**

It is an offence to copy all, or a substantial part of a copyright work. There are, however, certain limited user permissions, such as fair dealing, which means under certain circumstances permission is not needed to copy small amounts for non-commercial research or private study. The Act also provides for Moral Rights, whereby authors can sue if their name is not included in a work they wrote, or if the work has been amended in such a way as to impugn their reputation. Copyright

covers materials in print and electronic form, and includes words, images, and sounds, moving images, TV broadcasts and other media (e.g. youtube).

### **Telecommunications Act 1984**

It is an offence to send a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. It is also an offence to send a message that is intended to cause annoyance, inconvenience or needless anxiety to another that the sender knows to be false.

### **Criminal Justice & Public Order Act 1994**

This defines a criminal offence of intentional harassment, which covers all forms of harassment, including sexual. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, they:

- Use threatening, abusive or insulting words or behaviour, or disorderly behaviour; or
- Display any writing, sign or other visible representation, which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

### **Racial and Religious Hatred Act 2006**

This Act makes it a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

### **Protection from Harassment Act 1997**

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other. A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

## **Protection of Children Act 1978**

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison

## **Sexual Offences Act 2003**

The new grooming offence is committed if you are over 18 and have communicated with a child under 16 at least twice (including by phone or using the Internet) it is an offence to meet them or travel to meet them anywhere in the world with the intention of committing a sexual offence. Causing a child under 16 to watch a sexual act is illegal, including looking at images such as videos, photos or webcams, for your own gratification. It is also an offence for a person in a position of trust to engage in sexual activity with any person under 18, with whom they are in a position of trust. (Typically, teachers, social workers, health professionals, connections staff fall in this category of trust). Any sexual intercourse with a child under the age of 13 commits the offence of rape.

## **Public Order Act 1986**

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence. Children, Families and Education Directorate page 38 April 2007.

## **Obscene Publications Act 1959 and 1964**

Publishing an "obscene" article is a criminal offence. Publishing includes electronic transmission.

## **Human Rights Act 1998**

This does not deal with any particular issue specifically or any discrete subject area within the law. It is a type of "higher law", affecting all other laws. In the school context, human rights to be aware of include:

- The right to a fair trial
- The right to respect for private and family life, home and correspondence
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of assembly
- Prohibition of discrimination
- The right to education

These rights are not absolute. The school is obliged to respect these rights and freedoms, balancing them against those rights, duties and obligations, which arise from other relevant legislation.

### **The Education and Inspections Act 2006**

Empowers Headteachers, to such extent as is reasonable, to regulate the behaviour of students / pupils when they are off the school site and empowers members of staff to impose disciplinary penalties for inappropriate behaviour.

### **The Education and Inspections Act 2011**

Extended the powers included in the 2006 Act and gave permission for Headteachers (and nominated staff) to search for electronic devices. It also provides powers to search for data on those devices and to delete data. (see template policy in these appendices and for DfE guidance -

<http://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0076897/screening-searching-and-confiscation>

### **The Protection of Freedoms Act 2012**

Requires schools to seek permission from a parent / carer to use Biometric systems

### **The School Information Regulations 2012**

Requires schools to publish certain information on its website:

<http://www.education.gov.uk/schools/toolsandinitiatives/cuttingburdens/b0075738/educating-bureaucracy/requirements/changestoschoolinformationregulations>