

## PRIVACY NOTICE (How we use school workforce information)

This privacy notice explains how we collect, process and manage information for the school workforce. That includes employed members of staff, volunteers, including trustees, trainee teachers, apprentices and work experience/workplace placements.

The HR Manager is the Data Controller for the use of any personal data in this privacy notice.

### 1. The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as marital status, gender, age, ethnic group, Race, Religious Beliefs, Sexual Orientation and political opinions.
- contract information (such as start dates, hours worked, annual leave, post, roles, salary information)
- work absence information (such as number of absences and reasons along with medical certificates)
- qualifications, training records and professional memberships (and, where relevant, subjects taught)
- medical information (such as the medical questionnaire completed at the time of employment and any subsequent Occupational Health reports that may be required)
- performance information
- outcomes of any disciplinary or grievance procedures
- other personal information such as:
  - contact details,
  - date of birth,
  - next of kin and emergency contact numbers
  - bank account details, payroll records, tax status, pensions and benefits information
- Data about your use of the school's information and communication systems
- Recruitment information including copies of right to work documentation, references and other information included in an application form, cv or cover letter collected as part of the recruitment process
- Trade Union Membership information – where subscription is taken via payroll
- Exit information (exit interview, leaver forms)
- CCTV, photos and video recordings of you are also personal information

### 2. Why we collect and use this information

We share information to comply with statutory, regulatory and contractual obligations. These may include, but are not limited to:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- supporting effective performance management
- pay salaries and pension contributions
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring

- supporting the work of the School Teachers' Review Body
- comply with guidance such as 'Working Together' and safeguarding obligations
- facilitating good governance
- internal reviews and quality monitoring
- CPD and staffing issues

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

### 3. The lawful basis on which we process this information

We must make sure that information we collect and use about our workforce is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the GDPR and the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

We therefore only collect and use personal information about you when the law allows us to. Most commonly we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify our use of your data.

### 4. Collecting this information

We collect personal information via our application forms, new starter pack forms, medical assessment forms, bank detail forms and your P45.

Whilst most of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

## 5. Storing this information

We hold school workforce data for the length of your employment. We create and maintain an employment file for each staff member. The information kept in the file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our document record and retention policy. A copy of this policy can be found on the shared google drive.

## 6. Who we share this information with

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may routinely share personal information about you with:

- Central and local government
- the Department for Education (DfE)
- safeguarding and protection for children and vulnerable adults
- suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll services which is an outsourced service
- legal advisers
- insurance providers
- HMRC
- Teacher Pension Scheme and the Local Government Pension Scheme (and other pension providers)
- health professionals
- your family or representatives
- educators and examining bodies
- our regulator (OFSTED)
- trade union and associates
- our auditors
- police forces, courts and tribunals
- professional bodies
- employment and recruitment agencies and any employer seeking a reference

## 7. Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

### Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our pupils with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## 8. Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies, free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they are holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the department: <https://www.gov.uk/contact-dfe>

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## 9. Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please complete a Subject Request Form (see the Subject Access Request policy) and submit this to the Academy Principal.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## 10. Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on **7<sup>th</sup> May 2020**.

## 11. Further information

If you would like to discuss anything in this privacy notice, please contact the HR Manager.

## 12. More information about Data Protection and our Policies

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are available in the shared staff google drive, the Trust Governor system or on our website.