



## **Privacy Notice (How we use school workforce information)**

We process personal data relating to those we employ to work at, or otherwise engage to work at our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. We are also required to hold information on staff to fulfil our legal obligations to the Department for Education and the Local Authority in the submission of an annual School Census. In addition, we hold information in order to support staff as part of the process of continuous professional development and to enable us to contact staff or their next of kin in the event of an emergency

### **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, addresses and contact details)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- payroll information

### **Why we collect and use this information**

In addition to the reasons outlined above, we use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- as part of our safeguarding duties
- as part of our obligation to complete an annual school census return to the DfE
- maintain training records

### **The lawful basis on which we process this information**

**We collect and process 'personal data' under the following 'lawful bases', as defined within the**

## **GDPR:**

- to fulfil our duties as a public authority to report to the LA and the DfE, which is defined as our 'public task'
- to support the smooth running of the school and the effective development and deployment of staff, which is defined as our 'legitimate interest'
- to ensure the payment of staff and fulfilment of our contractual obligations, which is defined as 'contract'
- in case of an emergency where you might be in need of medical help and we you are unable to given consent, which is defined as a 'vital interest'

## **We collect and process 'special categories of personal data' under the following 'lawful bases' as defined within the GDPR:**

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect you vital interests of you or another person where you are physically or legally unable to give consent
- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards
- Article 9(2)(h): processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

For more detailed information regarding the data we hold, the legislation that requires us to hold it and the specific lawful bases under which we hold each type of data, please refer to Appendix 1 – Audit of staff data, which is currently in development and will be available on completion on the Server staff share drive in the GDPR folder.

### **Collecting this information**

Whilst the majority of 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.

### **Storing this information**

We hold and retain school workforce data in line with our legal obligations under:

- the Education Act 1996
- section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Keeping Children Safe in Education
- the requirements of the Disclosure and Barring Service and the Home Office
- the requirements of HMRC
- the Act of Limitation (1980) and
- with references to the Information Record Management Society,

## Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

## 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.

### Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### 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.

### [For use by maintained schools only:]

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## 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 and 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.

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>

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

### **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, contact **Mrs Helen Evans (School Business Manager or Mr Neil Baker, DPO)**.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- 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/>

### **Further information**

If you would like to discuss anything in this privacy notice, please contact:

**Mrs Helen Evans (School Business Manager or Mr Neil Baker, DPO)**.