

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

A new data privacy law was introduced in the UK from 25 May 2018. As a result, we're publishing a new Privacy Notice to make it easier for you to find out how we use and protect your information. We won't be changing the ways we use your personal information, but the new notice will provide you with additional details.

It is likely that we'll need to update this Privacy Notice every now and again to make sure it's accurate. We will let you know of any major changes, but the most up-to-date version will always be here for you to check.

For the purpose of this document, school workforce includes employees, contracted staff, volunteers and governors.

## 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, address, phone numbers)
- 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)
- pension and benefits information
- work absence information (such as number of absences and reasons)
- qualifications and training records
- next of kin information
- payroll information (such as bank account details)
- medical information, including OH reports (relevant to your employment)
- recruitment information (including application forms and references)
- performance information
- CCTV images
- photographs
- outcomes of any disciplinary and/or grievance procedures

## Why we collect and use this information

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

- protect the school workforce
- facilitate safe recruitment, as part of our safeguarding obligations towards our pupils
- facilitate financial modelling and planning
- support effective performance management
- support the work of the School Teachers' Review Body
- enable equalities monitoring

## The lawful basis on which we process this information

We process this information under the Education Act 1996 and the EU General Data Protection Regulation 2016/679 including Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data'

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The GDPR law on data protection sets out a number of different reasons we may collect and process your Personal Information, including:

- **Consent:** In specific situations, we can collect and process your data with your consent - e.g. when you tick a box online or sign up to receive invitations from us. When collecting your Personal Information, we'll always make clear to you which data is necessary in connection with a particular service.
- **Contractual obligations:** In some instances, we need your Personal Information to comply with our contractual obligations.
- **Legal compliance:** We may be legally bound to collect and process your data.
- **Legitimate interest:** We require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our business and which does not materially impact your rights, freedom, or interests.

## 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 school workforce data for the time specified in the school's data retention policy.

## Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- contracted service providers, such as our payroll provider
- police forces / courts / tribunals where required as part of a legal process

## 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 of educational attainment.

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>

## Where your Personal Information may be processed

Sometimes we will need to share your Personal Information with third parties outside the European Economic Area (EEA), such as the USA.

If we do this, we have procedures in place to ensure your data receives the same protection as if it were being processed inside the EEA by ensuring they have adequate controls in place, e.g. EU-US Privacy Shield.

Any transfer of your Personal Information will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

## 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, email [data@stjohnsprimary.org.uk](mailto:data@stjohnsprimary.org.uk).

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:

- School's Data Protection Lead on [data@stjohnsprimary.org.uk](mailto:data@stjohnsprimary.org.uk) marked FTAO: Data Protection Lead
- Data Protection Officer on [GDPR@integra.co.uk](mailto:GDPR@integra.co.uk)