



Privacy Notice (How we use school workforce information)

Data Protection Legislation

In accordance with UK data protection law individuals have the right to know what personal data we hold about them, and for what purpose.

This Privacy Notice explains how we collect, use, store and share personal data about members of staff. In data protection law, these activities are called data processing.

The categories of school workforce information that we collect, process, hold and share include (not exhaustive):

- Personal information (such as name, employee or teacher number, national insurance number, home address, personal telephone contact details and next of kin/emergency contact)
- Special categories of data including characteristics information such as gender, age, ethnic group
- Relevant medical and disability information
- Contract information (such as start dates, hours worked, post, roles, salary and pension information)
- Work absence information (such as number of absences and reasons such as sickness and maternity, adoption and paternity leave)
- Qualifications (and, where relevant, subjects taught)
- Discipline, grievance, performance management, monitoring of teaching standards and absence management information
- Evidence of the right to work in the UK
- Signing in/out register
- Images on CCTV
- Involvement in school trips.

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
- To meet the requirements of the Keeping Children Safe in Education regulations and safeguarding our pupils
- To contact staff and other nominated persons in the event of an emergency or unforeseen urgent circumstance.
- To enable school to provide access to school systems – e.g. SIMS and educational tools
- Defense of legal claims
- To comply with the Department for Education regulations

- To plan and monitor expenditure on staff salaries within the school's budget
- To comply with legislation in relation to data sharing

The lawful basis on which we process this information

School collects and processes this information under the powers given to schools and local authorities for the legitimate interests of the controller or third party, where applicable.

The following categories of lawfulness apply:

- Processing is necessary for the performance of an employment contract with the data subject or to take steps to enter into a contract
- Processing is necessary in order to comply with the law
- Processing is necessary to protect the vital interests of a data subject or another person
- Processing is necessary for carrying out our obligations under employment, social security or social protection law, or a collective agreement.
- Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity
- Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems

An example of a legal obligation for data collection purposes (Departmental Censuses) is the Education Act 1996 – this information can be found in the guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

In the rare circumstances that we cannot rely on a specified legal basis to process your information, we will obtain your explicit consent before doing so.

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 our school workforce data in line with the Information Records Management Society. <http://irms.org.uk>.

Who we share this information with

We routinely share this information with:

- Our local authority
- The Department for Education (DfE)
- The school's insurance company
- Payroll and personnel administration service
- Human Resources service
- Diocesan education service
- Catholic Care
- Our text messenger service
- Other software providers, so that you can carry out your duties, for example CPOMS, Evolve etc. local authority staff development platform (Leeds For Learning/Skills for Bradford)

We will share your information with third parties with whom the school enters into a contract for the delivery of services such as payroll and occupational health.

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.

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 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, in the first instance contact the **Headteacher or the data protection lead in school. Alternatively, you can contact the Data**

Protection Officer.

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

Complaints

We take complaints about our processing of personal data very seriously. If you believe our processing of your personal data or that of your child is unfair, misleading or inappropriate or have any other concern about the way we are collecting or using your personal data, we request 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/make-a-complaint/> telephone 0303 123 1113, or write to: ICO, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Contact us

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

Richard Lewis-Ogden – Data Protection Officer

Email: dpo@bywaterkent.co.uk