# Haselworth Primary School

## PRIVACY NOTICE FOR SCHOOL STAFF

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

Haselworth Primary School is the Data Controller for the use of personal data in this privacy notice.

The categories of information that we process include:

- personal information (such as name, employee or teacher number, national insurance number, photographs, emergency contact details, contact details, date of birth, marital status, next of kin and emergency contact details)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- Performance information
- Information regarding disciplinary or grievance issues
- Bank account details, payroll records, national insurance number and tax status information.
- Recruitment information, including copies of right to work documentation, references and other information included on an application form or that is part of the application process.
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Outcomes of any disciplinary and/or grievance procedures
- Photographs
- Data about your use of school's information and communication system.

**In addition, we may process the following "special category information":**

- Relevant health or medical information (such as in respect of absences)
- Trade Union membership
- Race, ethnicity, or religious beliefs, sexual orientation
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**Why we collect and use workforce information**

We use workforce data to:

a) enable individuals to be paid
b) enable safe recruitment and compliance with associated responsibilities
c) enable and support performance management
d) inform the development of recruitment and retention policies
e) enable the development of a comprehensive picture of the workforce and how it is deployed
f) enable equalities monitoring and compliance with equalities duties
g) Allow better financial modelling and planning
h) Improve the management of workforce data across the sector

**Our legal bases for processing workforce information:**

Under the UK General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- for the purposes of performance of a contract (e.g. contracts of employment, contracts for services etc)
- Where processing is necessary for compliance with legal obligations of the Governing Body (e.g. including but not limited to legal obligations under the Education Act 2002; Education Act 2005, the School Staffing Regulations 2009; the Employment Rights Act 1996, relevant tax law and other employment law obligations)
- Where processing is necessary for the performance of a task carried out in the public interest or exercise of official authority vested in the Governing Body (e.g. education functions associated with running a school).

**In addition, concerning any special category data:**

- Where processing is necessary for the purposes of carrying out obligations and exercising rights of the school or staff in the field of employment
- Where processing is necessary for reasons of substantial public interest (e.g. connected to the education functions associated with running a school)
- Where processing is necessary for the purposes of preventive or occupational medicine (e.g. where occupational health advice is sought)

## Consent

In some circumstances, we may ask you for explicit consent to enable us to process your data. However, this will normally only be where there is no other legal basis for us to process this information. Where we rely on consent, you may withdraw your consent at any time.

**Collecting workforce information**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

**Storing workforce information**

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit School Records Retention Schedule (3).pdf

**Who we share workforce information with**

We routinely share some workforce information with:

- The local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about headteacher performance and staff dismissals.
- the Department for Education (DfE)
- Educators and examining bodies
- Our regulator - e.g. Ofsted
- Supplier and services – to enable them to provide the service we have contracted them for
- Central and local government
- Our auditors
- Trade unions
- Health and social welfare organisations
- Security organisations
- Police forces, courts, tribunals
- Employment and recruitment agencies.

**Why we share school workforce information**

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

We/the local authority share information about school employees with the Department for Education on a statutory basis. This data sharing informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce, links to school funding and expenditure and supports long term research and monitoring of educational policy.

**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.

To find out more about the data collection requirements placed on the local authority by the Department for Education including the data that we share with them, go to Data collection and censuses for schools - GOV.UK

**Department for Education (DfE)**:

We are required to share information about our school employees with our local authority under regulation 5 of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007 (as amended).

Our Local Authority has a duty to provide the Department of Education with the information about our school employees under regulation 6 of the Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

For privacy information on the data the Department for Education (DfE) collects and uses, please see: https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers.

**Data collection requirements**

To find out more about the data collection requirements placed on [us/the local authority] 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.

**Requesting Access to your personal data**

Under the UK General Data Protection Regulation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Suzanne Rix, Data Protection Officer, s.rix@haselworth.hants.sch.uk 02392 583657

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
- a right to seek redress, either through the ICO, or through the courts

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/

**Contact**

If you would like to discuss anything in this privacy notice, please contact: Suzanne Rix, Data Protection Officer, s.rix@haselworth.hants.sch.uk 02392 583657

**Sharing by the Department for Education (DfE)**

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 for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education's (DfE) data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

For information about which organisations the Department for Education (DfE) has provided information, (and for which project) please visit the following website: https://www.gov.uk/government/publications/dfe-external-data-shares

**How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of UK GDPR, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

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

or

https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe

**Sharing by the Department for Education (DfE)**

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: https://www.gov.uk/government/publications/dfe-external-data-shares

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- .hants.sch.uk