

## Staff Privacy Notice:

### The school workforce: those employed to teach, or otherwise engaged to work at, a school or a local authority

**We need to hold personal information about you on our computers systems and in paper records to help us with the daily running of the school as an organisation.**

Your Headteacher is responsible for their accuracy and safe keeping. Please help to keep your records up to date by informing us of any change of circumstances.

Senior school staff and in some circumstances administration staff have access to your records to enable them to do their jobs. Anyone with access to your record is properly trained in confidentiality issues and is governed by a legal duty to keep your details secure, accurate and up to date.

All information about you is held securely and appropriate safeguards are in place to prevent loss.

In some circumstances we may be required by law to release your details to statutory or other official bodies, for example if a court order is present, or in the case of public educational matters. In other circumstances you may be required to give written consent before information is released.

**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 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).
- medical information (such as allergies and health conditions where appropriate)
- DBS information (such as copy documentation to verify your identity).
- Payroll Information (such as bank account details, where they are not sent directly to the local authority).
- CCTV Images
- Car registration number
- Next of kin information.

#### **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
- enable adjustments to the workplace if medical information evidences a need.

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

We process this information under

#### **Article 6**

- (a) the data subject has given **consent** to the processing of his or her personal data for one or

- more specific purposes
- (b) processing is necessary for the performance of a **contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
  - (c) processing is necessary for **compliance with a legal obligation** to which the controller is subject, ie Government Census.

### **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 on record. The length of time for which we hold this data varies according to the type of data. More information can be found in our Information Management Policy, which can be found on our website at [www.sunninghillprimary.org](http://www.sunninghillprimary.org)

All personal files of those staff who have worked with children, young people or vulnerable adults will be retained for 25 years following the termination of their employment with the authority, in line with the council's retention guidelines.

### **Who we share this information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- Occupational Health, if appropriate.
- HR
- Payroll
- Stakeholders through information on our website, twitter feed or marketing documents such as the school prospectus (name or photograph).

### **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.

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 Keely Atkinson, School Business Manager, 01204 333588.

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:

Keely Atkinson, School Business Manager, 01204 333588 or our Data Protection Officer.

The school has an independent data protection officer service supplied by Global Policing Limited. Global Policing is an organisation run by ex-senior police officers who specialise in working with schools and have vast experience of data protection matters. If you have any questions or comments, or wish to make any requests under the Regulations, you should contact them directly:

Telephone (answerphone) 0161 212 1682

Email [data@globalpolicing.co.uk](mailto:data@globalpolicing.co.uk)

Website [www.globalpolicing.co.uk/data](http://www.globalpolicing.co.uk/data)

If you have a concern about the way we are collecting or using 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>.

**Legal Basis:** The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever we process personal data:

- a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.
- b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).
- d) Vital interests: the processing is necessary to protect someone's life.
- e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

**Special Category Data:** GDPR identifies that some information is particularly sensitive and therefore needs extra protection:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership Health
- Sexual life or orientation
- Genetic data (e.g. blood samples DNA)
- Biometric data to identify an individual (e.g. finger-prints, iris recognition)
- Financial information

**Special Category Conditions:** Article 9 of sets out the special category conditions. If you are processing special category data you need to meet a special category condition in addition to the legal basis identified above:

- The data subject has given explicit consent
- Necessary to protect the vital interests where the data subject is physically or legally incapable of giving consent
- The data has been made publically available by the data subject
- Necessary for the purposes of preventative or occupational medicine, for example the

- assessment of the working capacity of an employee
- Required for exercising rights in the field of employment and social security or social protection
- Processing is carried out by a foundation or not-for-profit body in the course of its legitimate activities
- Necessary to process legal claims
- Necessary for archiving statistical or historical research which is in the public interest
- Necessary for reasons of substantial public interest on the basis of UK law which shall be proportionate to the aim pursued

**Data relating to criminal convictions or offences:** Under GDPR information relating to criminal convictions (includes all DBS checks even if they show no convictions/offences) can only be processed if you are doing so in an official capacity or have specific legal authorisation to do so.

*(Please note that Section 3 of the Data Protection Bill sets out specific data protection principles to be considered when processing personal data for law enforcement purposes. Therefore you may need to refresh your Privacy Notices at such time as the Bill is passed and becomes UK law)*

# Data Protection Act 2018

## Signed Permission – Employee

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**You must read the information supplied above and return this signed document to the school.**

### **Specific Additions:**

I give permission to the school to use / take photographs of me, and for these to be displayed in the school with my name and outside of the school for example on the school website.

*Add additional specific items here or delete.*

**Name**

**Signed**

**Date**

I have the right to give the school permission to hold and use information about me.

I also have been made aware of my rights within the Data Protection Act and how I can contact the data protection officers.

*Please note that this form will be stored either electronically or a paper copy will be saved and retained until you leave the schools employment.*