

# Blue Gate Fields Junior School

## GDPR Privacy Notice for staff (How we use school workforce information)



This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at the school.

### 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, date of birth)
- personal contact information (such as address, contact numbers, next of kin and emergency contact details)
- special categories of data including characteristics information such as gender, age, ethnic group, relevant medical information, religious beliefs
- contract information (such as start dates, hours worked, post, roles and salary information)
- payroll information (such as bank account details, payroll records, tax status information, salary, annual leave, pension and benefits information)
- work absence information (such as number of absences and reasons)
- qualifications and employment records (such as work history, job titles, working hours, training records, professional memberships, performance information and, where relevant, subjects taught)
- recruitment information (such as copies of right to work documentation, references, copy of passport and or driving licences )
- outcomes of any disciplinary and/or grievance procedures
- visual information (such as school photo IDs, photographs, CCTV footage, and proof of identifications in the form of passport and/or driving license)

### 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
- facilitate safe recruitment as part of our safeguarding obligations towards pupils
- enable ethnicity and disability monitoring

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

We process this information under:

#### Article 6 and Article 9 of the GDPR

Article 6: Lawfulness of processing:

1. Processing shall be lawful only if and to the extent that at least one of the following applies:
  - 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;
  - d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
  - e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

Article 9: Processing of special categories of personal data

2. (b) processing is necessary for the purposes of carrying out obligations and exercising specific rights of the controller or of the data subject in the field of employment

## **Education Act 1996**

### **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.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make it clear when requesting consent, and explain how you go about withdrawing consent if you wish to do so.

### **Storing this information**

We hold school workforce data for the relevant period of time as detailed in our Record Retention Schedule.

We create and maintain an employment file for each staff member. This takes the form of a paper file and information stored electronically on Scholar Pack. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

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

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- suppliers and service providers

### **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.

#### **Suppliers and service providers**

We share information to enable the suppliers/service providers to provide the service we have contracted them for such as payroll (EPM)

### **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 Afruza Hussain, Data Protection Lead at [ahussain11.211@lgflmail.org](mailto:ahussain11.211@lgflmail.org)

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

We take complaints/concerns about collection and use of personal data very seriously. 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/> or by calling 0303 123 1113 or writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Further information**

If you would like to discuss anything in this privacy notice, please contact our data protection Lead: Afruza Hussain.

Reviewed: 17<sup>th</sup> October 2022