Privacy Notice for School Workforce

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School supported by:

the ict service.

GDPR DPO Service provided by The ICT Service

dpo@theictservice.org.uk | **01223 752111**
www.theictservice.org.uk/gdpr-dpo-service

Training available upon request

Privacy Notice for School Workforce

Under Data Protection Law, individuals have a right to be informed about how Isleham Church of England Primary School [3 Malting Lane, Isleham, CB7 5WY] uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

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

We, **Isleham CE Primary School,** are the 'Data Controller' for the purposes of Data Protection Law.

Our Data Protection Officer is **The ICT Service** (see '**Complaints**' / '**Contact us**' towards the end of this document).

The personal data we hold:

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Full name, date of birth, marital status and gender
- Address and contact details
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- 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 in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- Data about your use of the school's information and communications system
- Filtering and monitoring processes are here in place at Isleham, KCSIE 2023 (page 46, paragraph 171 - 175), for more information Appropriate Filtering and Monitoring - UK Safer Internet Centre.

We may also collect, store and use information about you that falls into "Special Categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Health, including any medical conditions, and sickness records.

Why we collect and use workforce information:

The purpose of processing this data is to help us run the school, including to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed.
- Enable you to be paid.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- Support effective performance management.
- Inform our recruitment and retention policies.
- Allow better financial modelling and planning.
- Enable ethnicity and disability monitoring.
- Improve the management of workforce data across the sector.
- Support the work of the School Teachers' Review Body.

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

- Fulfil a contract we have entered with you.
- Comply with a legal obligation.
- Carry out a task in the public interest.

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way.
- We need to protect your vital interests (or someone else's interests).

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so. You should make such a request to Marlene Auberger at office@isleham.cambs.sch.uk

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Our basis for using Special Category data Article 9 – UK GDPR | Fieldfisher :

For 'Special Category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in Data Protection Law:

- We have obtained explicit consent to use the special category personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.

- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

Collecting workforce information

While most of the information we collect from you is mandatory, there is some information that you can choose whether to provide for us.

Workforce data is essential for the school's / local authority's operational use. Whilst most of the personal information you provide to us is mandatory, some of it is requested on a voluntary basis. 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.

- Staff contract forms
- Staff Information Sheets

Storing 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.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Retention Schedule. Our current Retention Schedule is available upon request from the school office.

Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Our 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. We are required to share information about our workforce members under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations and amendments.

- The Department for Education – to meet our legal obligations (see below).
- Your family or representatives – to fulfil our contractual obligations.
- Educators and examining bodies – to fulfil our public task.
- Our regulator Ofsted – to meet our legal obligations and fulfil our public task.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll.
- Our auditors – to meet our legal obligations.
- Security organisations – to fulfil our contractual obligations and to ensure the security of the pupils in school.
- Health and social welfare organisations – to meet our legal obligations through our recruitment process and to keep our staff and pupils safe.
- Professional advisers and consultants – to fulfil our public task in providing training opportunities to staff to improve work performance.
- Police forces, courts, tribunals – to meet legal obligations.
- Employment and recruitment agencies – to fulfil our legal and contractual obligations.

Why we share school workforce information

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

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory collections. We are required to share information for the purpose of those data collections under:

Data collection and censuses for schools - GOV.UK (www.gov.uk)

We are required to **share** information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to **https://www.gov.uk/education/data-collection-and-censuses-for-schools**.

Sharing by the Department for Education (DfE)

The Department for Education (DfE) 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) 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:

- 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.

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

Under the terms of the Data Protection Act 2018, 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

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

Transferring data internationally:

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so in accordance with Data Protection Law.

Requesting access to your personal data at Isleham CE Primary School

How to access personal information we hold about you:

Individuals have a right to make a 'Subject Access Request' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it.
- Tell you why we are holding and processing it, and how long we will keep it for.
- Explain where we got it from, if not from you.
- Tell you who it has been, or will be, shared with.
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this.
- Give you a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact Marlene Auberger at office@isleham.cambs.sch.uk

Other rights regarding your data

Under Data Protection Law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress.
- Prevent your data being used to send direct marketing.
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact Marlene Auberger at office@isleham.cambs.sch.uk

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at raise a concern with ICO (contact details shown in the **Complaints** section of this notice)

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the '**How Government uses your data**' section of this notice.

Complaints

We take complaints about our collection and use of personal information very seriously.

If you think that our collection or use of your personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact **Matt Brough on office@isleham.cambs.sch.uk**

Current guidance states that you should either contact the school and request a copy of their Data Protection 'Complaints' form (this could be online or in word format), alternatively you could consider using the template located using the following url: **How to make a data protection complaint to an organisation | ICO**. The school has one month (30 days) to respond to your complaint.

Thereafter, if for whatever reason you are still dissatisfied with their decision, then you should contact the Information Commissioner's Office:

- Report a concern online at **Make a complaint about data protection and personal information | ICO**
- Call 0303 123 1113 or live chat on **Advice services for members of the public | ICO**
- Or write to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

You can also contact our Data Protection Officer:

The ICT Service
Email: **dpo@theictservice.org.uk**
Tel: 01223 752111 option 4
Address: South Cambridgeshire Hall, Cambourne Business Park, Great Cambourne, Cambourne, Cambridge, CB23 6EA

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

- Marlene Auberger at office@isleham.cambs.sch.uk

*This notice is based on the **Department for Education's model privacy notice** for the school workforce, amended to reflect the way we use data in this school.*