

## Privacy Notice: How we use workforce information

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing 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 in our school.

Our school is defined as the 'data controller' for the purposes of data protection law.

Our Data Protection officer is Nick Evans, a member of our governing board.

### The categories of school information that we process include:

- **personal information:**  
name, date of birth, home address, email address, employee or teacher number, national insurance number, phone number, next of kin and emergency contact information
- **characteristics information:**  
gender, age, ethnic group, medical conditions, dietary requirements, disabilities
- **contract information:**  
start date, hours worked, post, roles and salary information, P45 forms, identity and right to work documentations, DBS information, application forms, references, self-disclosure forms, pensions information, annual leave record, information included in a CV or covering letter of application, qualifications and employment history
- **work absence information:**  
number of absences and reasons
- **Other information:**  
Working overseas, car information, training records, performance management documentation, disciplinary and grievance procedures, photographs, CCTV images captured in school

### Why we collect and use workforce information

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) Facilitate safe recruitment, as part of our safe-guarding obligations towards pupils
- e) Support effective performance management

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

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are set out in Article 6 of the General Data Protection Regulation:

- a) the data subject has given consent to the processing of his or her personal data for one or more specific purpose;
- 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;
- 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;
- f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

### **Most commonly, we use it where we need to:**

Fulfil a contract we have entered into with individuals.

Comply with a legal obligation

Carry out a task in the public interest.

### **Less commonly, we may also use personal information about our workforce where:**

We have obtained consent to use it in a certain way. This consent can be withdrawn at any time and we will make this clear when we ask and explain how consent can be withdrawn.

We need to protect your vital interests (or someone else's interests)

In addition, concerning any special category data:

- under Article 9 of the General Data Protection Regulation
  - a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes
  - b) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;

## **Collecting workforce information**

We collect personal information via:

- application forms
- references
- the local authority
- photographs

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 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. We create and maintain an employment file for each member of staff. 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 information in it in accordance with our retention schedule.

A copy of this can be obtained through the school office.

## **Who we share workforce information with**

We routinely share this information with:

- our local authority
- the Department for Education
- Ofsted
- suppliers and services with whom we have a contract i.e parentpay, Otrack,

## **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.

### **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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections.

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.

All data is transferred securely and held by 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.

## 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:

Kate Turnbull: School Business Manager - Telephone: 01530832608

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:

Nick Evans the Data Protection officer [nevans@allsaints-coalville.leics.sch.uk](mailto:nevans@allsaints-coalville.leics.sch.uk)

## How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental 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 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

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.

To contact the department: <https://www.gov.uk/contact-dfe>