



Privacy Notice – School Workforce

(How we use school workforce information)

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, address, 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)
- relevant medical information (such as health conditions, allergies etc.)
- performance information (such as appraisals, disciplinary, capability & grievance)
- financial information (such as bank account details)
- identification information (such as photographic identity copies)
- criminal record information (such as DBS, disqualification by association declaration)
- images of staff (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system;

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
- comply with our safeguarding requirements
- comply with employment law
- support employees with medical conditions and to support the provision of suitable first aid requirements and any appropriate referral to occupational health

The lawful basis on which we process this information

We process this information under the following set of legal bases in accordance with Article 6 of the GDPR and Article 9 of the GDPR:

- **Legal Obligation:** where the School needs to use your information in order to comply with a legal obligation, for example the School Workforce Census. We may also have to disclose information to third parties such as the courts or the police where legally obliged to do so.

We process your information under:

- Section 537A of the Education Act 1996 (School Workforce Census)
- Employment Act 2008 and the School Staffing (England) (Amendment) Regulations 2012 (capability, safer recruitment, discipline, conduct and grievance)
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (appraisal)
- The Health & Safety at Work Act 1974 (health & safety)
- Keeping Children Safe in Education (safeguarding/ child protection)
- Contractual Obligation: where the School needs to use your information in order to fulfil a contractual obligation with you (employment contract, payment of salary)

We must also comply with an additional condition where the school processes special categories of personal information in accordance with Article 9. These special categories including: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, health information, and information about sex life and orientation.

- Substantial public interest: the processing is necessary for reasons of substantial public interest.
- Vital interests: to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.
- Legal claims: the processing is necessary for the establishment, exercise of defence of legal claims. This allows us to share information with our legal advisors and insurers.
- Medical purposes (preventive or occupational medicine): this includes medical treatment and the management of health conditions at school.

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 for 6 years following the date you leave the school's employment after which point they are confidentially destroyed.

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- the school uses a management information system and communication system that securely holds staff information.

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 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.

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.

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 the Data Protection Officer.

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:

John Walker
Data Protection Officer
07736 669961
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