

Bewcastle School Privacy Notice for Staff

Privacy Notice (How we use school workforce information)

The categories of school workforce information that we process include:

- Personal information like name, address, contact details, employee or teacher number, national insurance number & bank account details.
- Special categories of data like medical information for emergency or occupational health reasons; criminal conviction or social care action information for legal and safeguarding reasons; and characteristics information like gender, age, ethnic group etc.
- Contract information like start dates, hours worked, post, roles, salary information, and pre-employment vetting information like references;
- Work absence information like the number of absences and reasons;
- Qualifications and, where relevant, subjects or specialisms taught.

Why we collect and use this information

We use school workforce data to:

- a) Provide us with a comprehensive picture of our workforce, how it is deployed, how it can be developed, and how it can be kept safe;
- b) recruit appropriately and to inform the development of recruitment and retention policies;
- c) enable individuals to be evaluated and developed in their career and be paid.

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information are:

- 6(1)(b) to enter into or carry out a contract e.g. to employ people or buy services.
- 6(1)(c) to comply with the law e.g. pre-employment criminal record checks, recording sickness absence for benefits purposes, data sharing with child protection partners like social care, the NHS and the Local Authority etc.
- 6(1)(a) having consent e.g. to use images and names in publicity.

When we process sensitive personal data like medical information we rely on the lawful bases:

- 9(2)(a) having consent e.g. for referral to occupational health or other support services.
- 9(2)(h) for preventative or occupational medicine or to assess the work capacity of an employee;
- 9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;
- 9(2)(f) to defend a legal claim against us e.g. some special educational needs records and all accident records etc.

This list is not exhaustive. For more information about the categories of information we process please see the Data Protection policy.

Collecting school workforce information

We collect personal information via staff contract forms.

Most of the information we ask for is required by law or necessary so we can run the school effectively and some of it is voluntary. To comply with data protection legislation, if you have a choice about providing information, we will tell you when we ask for it.

Storing school workforce information

We hold school workforce data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019).

Covid-19 specific data e.g. *some* visitor records, will normally be retained for only 21 days. For more information on our data retention schedule and how we keep your data safe, please see the Data Protection policy.

Who we share school workforce information with and why

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

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring.

We are required to share information about our employees with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We also share school workforce information with:

- our payroll and pensions service provider to pay people;
- the Local Government Pension scheme (Your Pension Service) to manage pension contributions;
- HMRC for legal and tax reasons;
- organisations involved with our children like other partner professionals who need the names, job titles, contact details and perhaps qualifications of our employees, the places we take children to on trips who might need more personal information like next of kin and medical needs, and workforce development providers like trainers;
- Public Health England and, to support Covid-19 testing and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public health and District Council Environmental Health Departments;
- Occupational Health and similar staff support services only with the consent of the individual.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information about our school workforce with the Department for Education (DfE) for the purpose of those data collections, 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 the Head teacher.

You also have the right to:

- ask us for access to information about you that we hold;
- have your personal data rectified, if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics;
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

If you have a concern about the way we are collecting or using your personal data, we request 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/>.

Withdrawal of consent and the right to lodge a complaint

If we are only processing your personal data because you consented, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Head teacher.

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 10th November 2020.

Contact

If you would like to discuss anything in this privacy notice, please contact the Head teacher.

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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

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