GAYTON PRIMARY SCHOOL

GDPR
Privacy Notice for School Workforce

Approved by:	Governors
Last Reviewed on:	December 2019
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Gayton Primary School
Privacy Notice for School Workforce
(How we use workforce information)

To make available to those employed to teach, or otherwise engaged to work, at our school an explanation of how we use your personal information.

The categories of school information that we process include:

- personal information (such as name, employee or teacher number, national insurance number, photograph and address)
- special categories of data including characteristics information such as gender, age, nationality, ethnic group, health
- contract and employment information (such as start dates, hours worked, post, roles and salary information, appraisal and disciplinary information)
- work absence information (such as number of absences and reasons, occupational health information)
- qualifications (and, where relevant, subjects taught)
- safeguarding (such as employment checks, references and DBS information)
- financial (such as bank details to enable payment of salary and expenses)

Why we collect and use workforce information

We use workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- recruit, retain, train, appraise, manage the welfare and performance of staff
- enable individuals to be paid, pension contributions made and tax and NI deducted
- undertake our responsibilities for safeguarding children
- provide employee services and benefits (such as childcare vouchers and pensions)
- enable the provision of education and pastoral care to our students
- communicate with you
- to comply with our legal obligations in relation to the law data sharing
- to provide catering and payment services
- to provide library, ICT and information services
- to maintain staff records
- to monitor equal opportunities
- to ensure staff and student safety and security, to prevent and detect crime
- to promote the school and its activities
- to carry out audits (e.g. to ensure compliance with our legal obligations)
- to deal with complaints, grievances and disciplinary actions
- to complete DfE school workforce census
- to administer school trips and activities

Legal Basis and Consent

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

- 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
- consent has been obtained from the data subject
- necessary for the performance of a contract with the data subject
- processing is necessary for compliance with a legal obligation

When we collect 'special categories of personal data' e.g. information relating to a person's racial or ethnic origin or medical information, we will do so where we have explicit consent or where it is necessary for us to comply with our obligations under employment, social security or social protection laws.

Whilst the majority of information you provide to us is mandatory or required as a contractual obligation of your employment, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Retaining and Disposing of this information

We hold school workforce data in strict compliance with GDPR requirements and as specified in our Record Retention and Destruction Schedule. The period of time we retain information will vary dependent on information type.

Who we share workforce information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- future employers (for reference information)
- examination boards
- catering and trip payment service providers
- communication service providers
- school trip providers and destinations (for example names to purchase tickets)
- IT service providers to enable access to services
- payroll service provider (DCC)
- LGPS and Teacher Pensions
- HMRC

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 (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 of educational attainment.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools 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 see
www.gov.uk/education/data-collection-and-censuses-for-schools

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, under:

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.

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

Requesting access to your personal data

Under data protection legislation, employees have the right to request access to information about them that the school holds. To make a request for your personal information contact Mrs J McAleny, Headteacher; or Mrs A Gore, Business Manager. The Data Protection Officer for Gayton Primary School is Jane Corrin and she can be contacted via the school office on 0151 342 3772.

Individual's Rights

GDPR gives individuals the following rights:-

The right to be informed - Individuals have the right to be informed about the collection and use of their personal data.

The right of access - Individuals will have the right to obtain:

confirmation that their data is being processed;
access to their personal data; and
other supplementary information

The right to rectification - Individuals have the right to have inaccurate personal data rectified.

The right to erasure - individuals can request to have personal data erased, also known as the right to be forgotten'. Individuals can make a request for erasure verbally or in writing and we have a month to respond. The right is **not absolute** and only applies in certain circumstances.

The right to restrict processing - Individuals have the right to request the restriction or suppression of their personal data. This is **not an absolute** right and only applies in certain circumstances

The right to data portability - Individuals can obtain and reuse their personal data for their own purposes across different services. This right only applies to information an individual has provided to a controller.

The right to object – to processing including direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics

Rights in relation to automated decision making and profiling – you can object to decision making based solely on automated means without any human involvement.

Contact

If you have a concern about the way we are collecting or using pupil's personal data, we request that you raise your concern with us in the first instance. If we cannot resolve your query then you have the right to contact the Information Commissioner's Office at https://ico.org.uk/concerns/

If you would like to discuss anything in this privacy notice, please contact: Mrs J McAleny, Headteacher; or Mrs A Gore, Business Manager or Jane Corrin, Data Protection Officer via 0151 342 3772.

Privacy Notice produced 17th May 2018