

Privacy Notice (How we use workforce information)

Sudbourne Primary School is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all current and former employees, workers and contractors.

Who Collects This Information

Sudbourne Primary School is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about you.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

The categories of school information that we process

We may collect, store and use the following categories of personal information about you: -:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses
- Emergency contact information such as names, relationship, phone numbers and email addresses
- Information collected during the recruitment process that we retain during your employment including references, proof of right to work in the UK, application form, CV, qualifications
- Employment contract information such as start dates, hours worked, post, roles
- Education and training details
- Details of salary and benefits including payment details, payroll records, tax status information, national insurance number, pension and benefits information
- Details of any dependants
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information
- Information on grievances raised by or involving you
- Information on conduct and/or other disciplinary issues involving you

- Details of your appraisals, performance reviews and capability issues
- Details of your time and attendance records
- Information about the use of our IT, communications and other systems, and other monitoring information
- Details of your use of business-related social media
- Images of staff captured by the School's CCTV system
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur)
- Details in references about you that we give to others

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Special Category Information

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal information (as defined under the GDPR as "special category data") which requires higher levels of protection and further justification for collecting, storing and use. We may process this data in the following circumstances: -

- In limited circumstances, with your explicit written consent
- Where we need to carry out our legal obligations in line with our data protection policy
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme)
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent

We will use this information in the following ways: -

- Collecting information relating to leave of absence, which may include sickness absence or family related leave
- To comply with employment and other laws
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting

To record trade union membership information to pay trade union premiums and to comply with employment law obligations

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Why we collect and use workforce information

We use workforce data in order 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 safeguarding obligations towards pupils
- e) support effective performance management
- f) allow better financial modelling and planning
- g) enable equalities monitoring

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

Collecting workforce information

We may collect this information from you via your personnel records, the Home Office, pension administrators, your doctors, from medical and occupational health professionals we engage, the DBS, your trade union, other employees, other professionals we may engage (e.g., to advise us generally), automated monitoring of our websites and other technical systems such as our computer networks and connections, CCTV and access control systems, remote access systems, email and instant messaging systems, intranet and internet facilities.

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 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.

Storing workforce information

Except as otherwise permitted or required by applicable law or regulation, the School only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

To determine the appropriate retention period for personal data, the School considers the amount, nature, and sensitivity of personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for processing the personal data, whether we can fulfil the purposes of processing by other means and any applicable legal requirements.

[Once you are no longer an employee we will retain and securely destroy your personal information in accordance with our data retention policy which can be read on the staff shared drive]

The School typically retains personal data for 6 years subject to any exceptional circumstances or to comply with laws or regulations that require a specific retention period.

Who we share workforce information with

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following: -

- The Department for Education (DfE)
- Our regulator, Ofsted
- Prospective Employers
- Welfare services (such as social services)
- Law enforcement officials such as police, HMRC; DWP
- LADO
- Training providers
- Professional advisors such as lawyers and consultants
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority
- Occupational Health
- DBS
- Recruitment and supply agencies
- Information Management systems and software

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law. Information will be provided to those agencies securely or anonymised where possible.

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)

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

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 the Department for Education (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 our Data Protection Lead, Penny Porter-Mill in the first instance.

You also have the right to:

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

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.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, 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 our Data Protection Lead, Penny Porter-Mill in the first instance.

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 21st March 2023.

Contact

We hope that our Data Protection Lead, Penny Porter-Mill, can resolve any query you raise about our use of your information in the first instance. Penny Porter-Mill can be contacted, via the school office or by email: sbm@sudbourne.com.

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

- Elaine Efrat via email: DPO@ascentassets.com

You have the right to make a complaint at any time to the Information Commissioner's Office, the Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AFUK supervisory authority for data protection issues.

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>