

St Nicholas CE Primary School

Staff Privacy Notice (How we use workforce information)

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

- personal information (such as name, address, employee number, teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

This list is not exhaustive of the information we process.

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

The lawful basis for processing personal data is set out in article 6 of the General Data Protection Regulation (GDPR). At least one of these must apply whenever you process personal data:

- **Consent:** The individual has given clear consent for you to process their personal data for a specific purpose.
- **Contract:** Processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- **Legal Obligation:** The processing is necessary for you to comply with the law (not including contractual obligations).
- **Vital Interests:** The processing is necessary to protect someone's life.
- **Public Task:** The processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- **Legitimate Interests:** The processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. This cannot apply if you are a public authority processing data to perform your official tasks. Public authorities will need to rely on official functions.

In addition, concerning any special category data, set out in article 9 of GDPR, as well as one of the 6 lawful basis for processing, you must ensure that a condition for processing from the following list applies:

- The data subject has given explicit consent to the processing of those personal data for one

or more specified purposes

Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by union or member state law or a collective agreement pursuant to member state law providing for appropriate safe guards for the fundamental rights and the interests of the data subject.

- 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.
- Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.
- Processing relates to personal data which are manifestly made public by the data subject
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- Processing is necessary for reasons of substantial public interest, on the basis of union or member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the data subject.
- Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of union or member state law or pursuant to contract with a health professional.
- Processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of union or member state law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on union or member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Collecting workforce information

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. For more information on our data retention schedule and how we keep your data safe, please visit contact the school office.

Who we share workforce information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)

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 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.

All data is transferred securely and held by DfE under a combination of software and hardware.

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 school office.

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/>

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

Contact

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

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>