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|  | <p>St. Modwen's Catholic Primary School</p> <p><b>Privacy Notice – School Workforce</b><br/><b>(August 2019)</b></p> |  |
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| <b>Approved by Governors of St.Modwen's Catholic Primary School</b> |             |
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| <b>Chair of Governors:</b>  | J Edwards   |
| <b>Date :</b>   | August 2019 |
| <b>Proposed Date of Future Review:</b>                              | August 2020 |

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### **1. St.Modwen’s Catholic Primary School- Privacy Notice (How we use school workforce information)**

Under data protection law, individuals have a right to be informed about how St Modwen’s Catholic Primary School uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

### **2. The categories of school workforce information that we collect, process, hold and share (where appropriate) includes, but is not restricted to:**

- personal information (such as name, employee or teacher number)
- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers

- contract information (such as start dates, hours worked, post, roles, salary, annual leave, pension and benefits information)
- Bank account details, payroll records, National Insurance number and tax status information
- qualifications (and, where relevant, subjects taught)
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- DBS information
- Passport information
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Use of Car information - Copy of driving licence, MOT, Insurance
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records
- Declared conflicts of interest

### **3. Why we collect and use this information**

The purpose of processing this data is to help us run the academy. 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
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- support effective performance management
- allow better financial modelling and planning
- enable ethnicity and disability monitoring
- improve the management of workforce data across the sector
- support the work of the School Teachers' Review Body

### **4. The lawful basis on which we process this information**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation

- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

## 5. Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

## 6. Storing this information

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Records Management Policy which is taken from the Information and Records Management Society's toolkit for schools.

## 7. Who we share this information with

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about performance and staff dismissals (Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.)
- The Department for Education - 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 (Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.)

- Your family or representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations and our auditors
- Central and local government
- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

We do not expect to transfer personal data to a country or territory outside the European Economic Area, however if we do we will do so in accordance with data protection law.

## 8. Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including 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/datacollection-and-censuses-for-schools](https://www.gov.uk/education/datacollection-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>.

## 9. 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 please contact St Modwen's Catholic Primary School office on **St.Modwen's Catholic Primary School office on 01283 247560 or [office@st-modwens.staffs.sch.uk](mailto:office@st-modwens.staffs.sch.uk)**

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/>.

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer.

## 10. Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

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 5AF

## 11. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer (DPO):

- Our DPO is John Walker, Solicitor – E-mail contact [john@jawalker.co.uk](mailto:john@jawalker.co.uk).
- School Data Protection enquiries, School Business, Operations and Facilities Manager - Carol Salt and is contactable via **the administration office on 01283 247560 or e-mail [office@st-modwens.staffs.sch.uk](mailto:office@st-modwens.staffs.sch.uk)**