



# Nythe Primary School

## Privacy Notice for Staff & Volunteers (How we use school workforce information)



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

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- relevant medical information
- information required for payroll
- contact details, including addresses and emergency contact details
- records of performance and performance management
- safeguarding and Child Protection reports and disclosures
- Photographs, video clips and recordings of online lessons and meetings.
- CCTV images

### Why we collect and use workforce information

We collect and use information under the Education Act 1996 and the EU General Protection Regulation (GDPR) which will take effect from May 25, 2018, including Article 9 'lawfulness of processing' and Article 9 'processing of special categories of personal data'

We use school workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) improve the management of workforce data across the sector
- c) inform the development of recruitment and retention policies
- d) enable individuals to be paid
- e) enable monitoring of selected protected characteristics
- f) support professional development
- g) inform budgeting, planning and financial monitoring
- h) to meet the statutory duties placed upon us

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

- For the purposes of (a), (b), (c), (d) & (f) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- For the purposes of (c) & (f) in addition for the purposes in accordance with the legal basis of Legal Obligation: data collected is necessary to perform tasks that schools are required to perform as part of their statutory function and is shared with
  - FS4S for Payroll and pension processing
  - Online Payment Software
  - HMRC
  - Pension providers
- For the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information
  - Section 537A of the Education Act 1996
  - The Education Act 1996 s29(3)
  - Regulations 5 and 8 School Information (England) Regulations 2008

- In addition, concerning any special category data:
  - Conditions (a), (b) & (f) of GDPR – Article 9

## **Collecting workforce information**

Whilst most of the information you provide to us is mandatory, 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.

## **Storing this information**

We hold staff data in line with the recommendations of the Information and Records Management Society <http://irms.org.uk/page/SchoolsToolkit>

## **Who we share workforce information**

We routinely share information with:

- our local authority
- the Department for Education (DfE)
- Excalibur Academies Trust
- HMRC
- Teachers' Pension Scheme and Local Government Pension Scheme
- our external payroll provider

## **Why we share school workforce information**

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

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.

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.

We are required to share information with the (DfE) 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 collects and processes personal data relating to those employed by schools (including Multi 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/data-collection-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>

### **Requesting access to your personal data**

Under data protection legislation, staff and volunteers have the right to request access to information about them that we hold. To make a request for your personal information, contact Chris Laken, GDPR Lead, via email at [admin@nythe.excalibur.org.uk](mailto:admin@nythe.excalibur.org.uk)

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 the continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- 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
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you
- 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/>

### **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 Chris Laken, GDPR Lead, via email at [admin@nythe.excalibur.org.uk](mailto:admin@nythe.excalibur.org.uk).

### **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 September 2020.

**Contact:**

If you would like to discuss anything in this privacy notice, please contact:

- Chris Laken, GDPR Lead for Nythe Primary School, [admin@nythe.excalibur.org.uk](mailto:admin@nythe.excalibur.org.uk), or Karen Davis, Excalibur Academies Trust Data Protection Officer [karen.davis@excalibur.org.uk](mailto:karen.davis@excalibur.org.uk)