



Appendix 3

Privacy Notice (How we use school workforce information)

Introduction

1. This notice is to help you understand **how** and **why** we collect personal information about you and **what** we do with that information. It also explains the decisions that you can make about your own information.
2. If you have any questions about this notice, please contact the Data Protection Officer (DPO).
3. This notice is aimed at all school staff (including Governors, volunteers and certain contractors) and applicants for employment vacancies. This privacy notice does not form part of your contract of employment and the school may amend this notice at any time.

What is personal information?

4. Personal information is information which is about you and from which you can be identified.
5. This includes your contact details, next of kin and financial information. We may also hold information such as your religion or ethnic group. CCTV, photos and video recordings of you are also personal information.

What personal information does the school hold about you and how is this obtained?

6. We have set out below examples of the personal information the school holds about you and where this personal information comes from.
7. Information about you is gathered during the recruitment process:
 - 7.1 such as information about your education, qualifications and professional achievements;
 - 7.2 you will provide certain information to us, for example, on your application form and during any interviews;
 - 7.3 we may obtain information from publicly available sources such as your social media profiles; and
 - 7.4 we will receive your personal information (from you and third parties) when we carry out pre-employment checks, for example, when we receive references, confirmation of your fitness to work, your right to work in the UK and criminal records checks.
8. We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.
9. We hold and use your financial information, such as, your bank details, your salary and pension details.



Appendix 3

10. We will hold information about any physical or mental health condition you may have which is disclosed to the school during the recruitment process or at any stage during your employment.
11. We will hold information about any protected characteristics you may have (e.g. a disability) which you provide, for example on the Equal Opportunities Monitoring Form.
12. Your personal information may be acquired from outside of the school community such as from occupational health practitioners or from public authorities such as the Police or the Local Authority Designated Officer.

Why does the School collect and use your personal information?

13. We commonly use personal information for:
 - 13.1 ensuring that we provide a safe and secure work environment;
 - 13.2 providing employment services (such as payroll and references);
 - 13.3 providing training and support;
 - 13.4 protecting and promoting the Trust's interests and objectives (including fundraising);
 - 13.5 personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer. For example, to pay staff and to monitor their performance;
 - 13.6 safeguarding and promoting the welfare of all staff and pupils; and
 - 13.7 fulfilling our contractual and other legal obligations.
14. Some specific examples of when the school uses your personal information as set out below:
 - 14.1 We use your personal information to consider your suitability to work in your role at the school.
 - 14.2 We will check that you have the right to work in the UK by reviewing your identification documents and keeping copies on your personnel file.
 - 14.3 We may use your personal information in addressing performance or disciplinary concerns.
 - 14.4 We will use information relating to any medical condition you may have in order to verify fitness to work, monitor sickness absence and comply with our duty of care towards you.
 - 14.5 We may use your information when dealing with complaints and grievances (e.g. from other staff and parents).
 - 14.6 We may use information about you and photographs and video recordings of you for marketing and promotion purposes including in school publications, and on the school website.



Appendix 3

- 14.7 We may use your information to enable the development of a comprehensive picture of the workforce and how it is deployed
- 14.8 We may use your information to inform the development of recruitment and retention policies
- 14.9 We may also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper).
- 14.10 We may also make recordings for teaching purposes, for example, recording a drama lesson to provide feedback to you or pupils.

The lawful basis on which we process your information

Contractual obligation

We will need to use your information in order to comply with our contractual obligations. For example:

- we need your name and bank details so that we can pay you your salary;
- we may need to provide your personal information to a pension provider;
- we also need to use your personal information to provide contractual benefits;

Legal obligation

We have to comply with various laws and this entitles us to use your information where necessary. For example:

- we have to make sure that you have the right to work in the UK;
- to fulfil our duty of care to you and your colleagues;
- we have to fulfil our safeguarding duties towards pupils; and
- we may be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police.

Vital interests

We may use your information where this is necessary to protect your vital interests or someone else's. For example, to prevent someone from being seriously harmed or killed.

Public Interest

We use your information for a variety of reasons in the public interest, for example:

- facilitating our teaching requirements, for example, to help us decide which member of staff will teach a particular class based on skills, experience, qualifications and so on;
- looking after your welfare and development and the welfare and development of others;
- safeguarding and promoting the welfare of our pupils;
- ensuring the security of the school site which may involve issuing you with a photocard;
- making sure that you are complying with your employment obligations;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.



Appendix 3

Special Categories of Information

The school must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation. The grounds that we are relying on to process special categories of personal data are set out below:

Employment, social security and social protection

The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the school and staff in the field of employment, social security or social protection.

Vital interests:

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims:

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal team and insurers. .

Substantial public interest

The school is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "Public interest" above, for example the school may use special categories of information when providing an education to pupils, looking after the welfare of pupils or when the school is inspected.

Collecting this information

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to the DCO if you would like to withdraw any consent given.

In some cases, we will rely on more than one of the grounds above for a particular use of your information. For example, we may rely on legitimate interests and public interest grounds when using your information to safeguard our pupils.

Storing this information

We hold school workforce data for in accordance with our records retention schedule

Who we share this information with

We routinely share this information with:

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



Appendix 3

Why we share school workforce information

We do not share information about 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 educational attainment.

The DfE 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.



Appendix 3

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, you have the right to request access to information about you that we hold. To make a request for your personal information, contact **[include details of administrator / data protection officer]**

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/>

Further information

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

Clare Horan, Data Protection Officer info@bitterneceprimary.net