

Privacy Notice September 2020

EU General Data Protection Regulation (GDPR) for Employees, Governors, Volunteers and Visitors

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

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

- personal information (such as name, telephone no, address, date of birth, employee and/or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group and disability/access requirements or other medical or health information.
- contract information (such as start dates, hours worked, post, roles and salary information, bank details)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- DBS and eligibility to work in the UK evidence and further checks information.
- Images and video (such as CCTV or photographs)

Why we collect and use this information

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
- enable working adjustment consideration
- enable correspondence
- enable the correct terms and conditions of employment to be monitored
- enable the compliance of Ofsted, DfE and UK employment regulations

The lawful basis on which we process this information Article 6. GDPR

Under current data protection legislation, the school must identify a valid, lawful basis for any data processing they carry out. We process personal data in relation to staff using the following lawful bases:

GDPR Article 6 (1)

- Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- Processing is necessary for compliance with a legal obligation to which the controller is subject;
- The data subject has given consent to the processing of his or her personal data
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

GDPR Article 9 (2)

- Processing is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of employment, including social security and social protection law
- Processing is necessary for the purpose of preventative or occupational medicine or for the assessment of the working capacity of the employee.
- Processing is necessary for reasons of substantial public interest, scientific or historical research purposes
- The data subject has given explicit consent to the processing of their personal data.
- We are required to for reasons of “public health”, for example during a pandemic

Please see the school’s Special Category Data policy for more information about how we process this type of data. This policy can be found in Staff/Policies.

Collecting this information

We collect personal information via application forms, your contract, through appraisal processes and data collection sheets, training certificates, sign in/out sheets, risk assessment sheets and work experience personal details forms.

Workforce data is essential for the school’s operational use. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We hold data securely in both hard copy and electronic format, for the set amount of time shown in our retention period as stated in our school Document Retention Schedule. For details please see Records Management Policy on Staff Only Drive/Policies.

Who we share this information with

We routinely share this information with:

- Statutory sharing with our local authority (East Sussex County Council)
- the Department for Education (DfE)

- Traded services purchased through the LA (Legal, Human Resources, Payroll, Information Governance Support, Finance)
- Learning platforms or software providers used by the school to support education provision

Why we share school workforce information

We do not share information about workforce members 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 collections, under:

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 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 the School Business Manager: Kate Jenner

School Business Manager

Chantry Community Primary School

01424 211696

kjenner@chantry.e-sussex.sch.uk

You also have the right to:

- to ask us for access to information about you that we hold.
- 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
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- a right to seek redress, either through the ICO, or through the courts

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 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 contact the School Business Manager: Kate Jenner, School Business Manager
Chantry Community Primary School
01424 211696 or kjenner@chantry.e-sussex.sch.uk

Data Protection Officer

Peter Questier (East Sussex County Council, Information Governance Team. Children's Services)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

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

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>.

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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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: <https://www.gov.uk/contact-dfe>

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 3rd September 2020.