

GDPR Privacy Notice for School Workforce

August 2020



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
- other information for payroll purposes such as membership of pension schemes
- DBS and other safeguarding information to comply with Single Central Record requirements

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 and how it can be kept safe.
- inform the development of recruitment and retention policies
- enable individuals to be paid
- for insurance purposes
- financial management of the school
- enable us to fulfil our statutory safeguarding responsibilities (Single Central Record requirements)

The lawful basis on which we process this information

We process this information under:

- 6(1)(b) to enter into or carry out a contract *e.g. to employ people or buy services.*
- 6(1)(c) to comply with the law *e.g. pre-employment criminal record checks, recording sickness absence for benefits purposes, data sharing with child protection partners like social care, the NHS and the Local Authority etc.*
- 6(1)(a) having consent *e.g. to use images and names in publicity.*

When we process sensitive personal data like medical information we rely on the lawful bases:

- 9(2)(a) having consent *e.g. for referral to occupational health or other support services.*
- 9(2)(h) for preventative or occupational medicine or to assess the work capacity of an employee;
- 9(2)(i) to improve public health *e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;*
- 9(2)(f) to defend a legal claim against us *e.g. some special educational needs records and all accident records etc.*
- Further information regarding data collection can be found in the Education Act 1996 within guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Collecting this information

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 school workforce data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019). Covid-19 specific data e.g. some visitor records, will normally be retained for only 21 days. For more information on our data retention schedule and how we keep your data safe, please visit www.northlakes.cumbria.sch.uk

Who we share this information with and why

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

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring.

We are required to share information about our employees with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We also share school workforce information with:

- our payroll and pensions service provider to pay people;
- the Local Government Pension scheme (Your Pension Service) to manage pension contributions;
- HMRC for legal and tax reasons;
- organisations involved with our children like other partner professionals who need the names, job titles, contact details and perhaps qualifications of our employees, the places we take children to on trips who might need more personal information like next of kin and medical needs, and workforce development providers like trainers;
- Public Health England and, to support Covid-19 testing and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public health and District Council Environmental Health Departments;
- Occupational Health and similar staff support services only with the consent of the individual.

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>.

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, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Mrs A Nellis, Office Manager, admin@northlakes.cumbria.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>

Further information

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

Mr M Soulsby, Data Protection Lead (DPO) dpo@northlakes.cumbria.sch.uk