

Mount Pleasant Junior School

Policy Document



Policy for:	Privacy Notice - Workforce
Overarching area:	Data protection Act 2018
Date ratified:	23 March 2023
Date to be reviewed:	23 March 2024

Privacy Notice **(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 and contact details)
- special categories of data including characteristics information such as gender, age, ethnic group, medical information, any criminal information revealed by DBS search
- contract information (such as start dates, hours worked, post, roles, pension contributions and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

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
- promote and safeguard the welfare of all staff and pupils, including protecting health of the members of our school community and taking action to enable all children to have the best outcome

The lawful basis on which we process this information

We process this information under Article 6 of the Data Protection Act 2018:

1. the 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.
2. the 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

And Also under Article 9:

1. processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
2. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

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 for a further 6 years after you have left our employ.

Who we share this information with

We routinely share this information with:

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

- the NHS
- the payroll provider (Capita Carlyle) Aspire Community Trust
- Teachers Pensions and Local Government Pension (LGPS)

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 of educational attainment.

The NHS

We may share personal data with the NHS where necessary to promote and safeguard the welfare of the members of our school community, including protecting their health and taking action to enable all children to have the best outcomes.

Payroll Provider

We share personal data with Strictly Education for the purposes of paying personnel, accurate pension contributions and other statutory deductions or payments.

Aspire Community Trust

We may share personal data with the trust to underpin workforce policy on developing the workforce, CPD, monitoring, evaluation and links to school funding/expenditure and the assessment of educational attainment.

Teachers Pensions & the LGPS

Personal data is shared with pension scheme providers for the purposes of accurate records and to comply with statutory legislation (Supply of information about the school workforce) (England) Regulations 2007 and amendments.

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 **Richard Ware, School Business Manager**

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:

Richard Ware, School Business Manager and Data Protection Officer.