



Hillside Primary School

Developing the individual

GDPR Privacy Notice for the School Workforce

Schools are currently required to detail to staff how their personal data may be collected and used. This requirement will remain once the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018.

The School Workforce

Who processes your information?

The school is the data controller of the personal information you provide to us. This means we determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. A representative of the school, Mrs Bailey, can be contacted on 01782 235350 or ebailey@hillsideprimary.org.uk.

Mrs Winwood is the Data Protection Officer. Her role is to oversee and monitor the school's data processing practices and can be contacted by email rwinwood@hillsideprimary.org.uk.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places data protection requirements on third party processors to ensure data is processed in line with staff members' privacy rights.

Why do we need your information?

Hillside Primary School has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the school, or those otherwise contracted to work at the school. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- School Staffing (England) Regulations 2009 (as amended)
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009

The personal data the school will 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)

[NB. The above list is exhaustive]

The collection of personal information will benefit both the DfE and LA by:

- Improving the management of workforce data across the sector.
- Enabling the 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.
- Supporting the work of the school teachers' review body.

For which purposes are your personal data processed?

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
- Contractual requirements
- Employment checks, e.g. right to work in the UK

[NB. The above list is exhaustive]

If staff members fail to provide their personal data, there may be significant consequences. This includes the following:

Employment checks:

Failure to provide the school with ample proof of a right to work in the UK will prevent employment at name of school.

Employees found to be working illegally could face prosecution by law enforcement officers.

Salary requirements:

Failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax.

The lawful basis on which we use this information

Hillside Primary School holds the legal right to collect and use personal data relating to members of the workforce. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- **Article 6 of the GDPR, e.g. Legal Obligation:** the processing is necessary for you [the school] to comply with the law.
- **Article 9 of the GDPR** where the data processed is sensitive personal data and is classified as 'special category data', e.g. data revealing ethnic origin. The GDPR says "In particular, this type of data could create more significant risks to a person's fundamental rights and freedoms. For example, by putting them at risk of unlawful discrimination."
- **Education Act 1996**
- **Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013**

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.

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

How long is your data retained for?

Personal data relating to staff at Hillside Primary School is stored in line with the school's GDPR Data Protection Policy Section 21 Data Retention.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Who we share this information with

We routinely share this information with:

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

How is your information shared?

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.

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.

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 Jane Stanway, Office Manager or Rebecca Winwood, 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:

- Paula Dawson (Head of Support Services)
- Rebecca Winwood (Data Protection Officer)

How can you find out more information?

If you require further information about how we and/or the DfE store and use your personal data, please visit our website www.hillsideprimary.org.uk, the Gov.UK website, or download our GDPR Data Protection Policy.