



Holyhead

Teach What Matters

Privacy Notice - Workforce

AutumnTerm

2020

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Policy Lead: M Giudici



Privacy Notice for the workforce

Introduction

This notice is for those employed to teach, or otherwise engaged to work at, Holyhead School.

What is "personal information"?

Personal information is information that the school holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like medical details and behaviour records. The school may also record your religion or ethnic group. CCTV, photos and video recordings of you are also personal information.

The categories of staff information that we collect, hold and share include:

- Personal information (such as name and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Photographs
- Education details
- Employment details
- Financial details
- Absence and holidays
- Disciplinary records
- CPD information
- Relevant medical and dietary information

Why we collect and use this information

We collect and use staff information under the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (GDPR)

We use the staff data:

- to administer school property
- to maintain our own accounts and records
- to support staff training
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

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

Our legal grounds for using your information

This section contains information about the legal basis that we are relying on when handling your information. Holyhead School holds the legal right to collect and use personal data relating to members of the workforce and their families, and we may also receive information regarding them from their previous place of work, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and UK Law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013

Public interest

This means that the processing is necessary for us to perform a task in the public interest, or for official functions, the school relies on Public Task for most of the ways in which it uses your information.

The school must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Legal obligation

Where the school needs to use your information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

For example, to prevent someone from being seriously harmed or killed.

Legitimate Interest

Your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow students.

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.

Consent

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.

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

Typically, the legal recommendation for how long to keep staff personnel files is up to 7 years following departure from the School.

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- the school Nurse, the NHS, including CAMHS (for referrals, vaccinations etc)
- NHS/Public Health Agencies where relevant to the Covid pandemic

Governors information is shared with:

- Companies House
- Get Information about Schools
- The clerking service provider.

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.

We are required to share information about our pupils with the (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 the school's DPO using the following e-mail address:-

dpo@holyheadschool.org.uk. As part of the Subject Access Request you may be asked to provide further information by filling in a simple form. This form is available on our website.

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/>