

Privacy Notice (How we use School Workforce Information)

St Michael's Nursery and Infant School is the Data Controller for the use of personal data in this privacy notice.

The categories of school information that we process include:

- *personal information (such as name, address, employee or teacher number, national insurance number)*
- *characteristics information (such as gender, age, ethnic group)*
- *contract information (such as start date, hours worked, post, roles and salary information)*
- *work absence information (such as number of absences and reasons)*
- *qualifications (and, where relevant, subjects taught)*
- *Identification to verify name and address*
- *Confirmation of the right to work in the UK*
- *Medical information*
- *DBS information*
- *Legal documents relevant to the employment (name changes, marriage certificates etc.)*
- *Staff suitability declaration*
- *Information for payroll – bank details*

Why we collect and use workforce information

We use 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*

Under the General Data Protection Regulation (GDPR), the legal basis/bases we rely on for processing personal information for general purposes are:

- *for the purposes of Article 6:*
 - 1 b. *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;*
 - 1 c. *processing is necessary for compliance with a legal obligation to which the controller is subject*
 - 1 d. *processing is necessary in order to protect the vital interests of the data subject or of another natural person*
- *in accordance with the legal basis of Article 9:*
 - 2 a *Explicit consent of data subject, unless prohibited by EU/National law*
- *In addition, concerning any special category data:*

2 b. Necessary to meet obligations under employment, social security or social protection law, or a collective agreement.

2 h. for preventative or occupational medicine; assessing work capacity of an employee, medical diagnosis, providing health & social care or treatment or management of healthcare services under EU/National law or contract with a health professional.

Collecting workforce information

We collect personal information staff application forms Human Resource and Payroll forms to process contracts.

Workforce data is essential for the school's /local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this this and we will tell you what you need to do if you do not want to share this information with us.

Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit www.smhwkt.cumbria.sch.uk

Who we share workforce information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)
- Capita HR solutions
- Scholarpack MIS
- Public Health England

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.

- in accordance with the legal basis of Article 9:

2 a Explicit consent of data subject, unless prohibited by EU/National law

2 b.Necessary to meet obligations under employment, social security or social protection law, or a collective agreement.

2 h. for preventative or occupational medicine; assessing work capacity of an employee, medical diagnosis, providing health & social care or treatment or management of healthcare services under EU/National law or contract with a health professional.

2 i. For public health e.g. protecting against serious cross-border threats to health or ensuring high standards of healthcare & medicinal products or medical devices.

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 school employees with 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 Emma Gregory in the school office 01900608111 admin@smhwkt.cumbria.sch.uk

Depending on the lawful basis above, you may 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
- 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.

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 16th September 2019.

Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs E Gregory in the school office on 01900608111 or admin@smhwkt.cumbria.sch.uk

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

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>