



'To educate each and every unique child in our care to hear and respond to what God calls them to be'



# Privacy Notice for School Workforce

"O Timothy, guard what has been entrusted to you, avoiding worldly and empty chatter and the opposing arguments of what is falsely called "knowledge."

Timothy 6:20

## **Privacy Notice (How we use workforce information)**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

Saint John Wall Catholic School is the 'data controller' for the purposes of data protection law. The data protection officer is Mr M Wieremiewicz and Mrs K Nayyar.

### **The categories of school information that we process**

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- personal information (such as name, contact details, date of birth, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, marital status, ethnic group)
- Next of kin and emergency contact numbers
- contract information (such as start date, hours worked, post, roles and salary, annual leave, pension and benefits information)
- Bank details, payroll records and tax status
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught) and employment records, professional memberships
- Training records
- Performance information
- Outcomes of disciplinary and/or grievance procedures
- Safeguarding information, DBS number
- Copy of driving licence and car registration
- Photographs
- CCTV images
- Race, ethnicity, religious beliefs and sexual orientation
- Health including medical conditions, sickness records and disability status

## Why we collect and use workforce information

The purpose of processing this data is to help us run the school, including to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- e) Support effective performance management
- f) Inform our recruitment and retention policies
- g) Allow better financial modelling and planning
- h) Enable ethnicity and disability monitoring
- i) Improve the management of workforce data across the sector
- j) Support the work of the School Teachers' review body
- k) Report to the DFE

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

## Collecting workforce information

We collect personal information via application forms, Curriculum vitae, letters, email correspondence, verbal conversations and questionnaires.

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, 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.

Staff records are stored securely in paper files and on the school's secure server. We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Information and Records Management Society's toolkit for schools, available on request from the school office.

## **Who we share workforce information with**

Where it is legally required, or necessary (and it complies with the General Data Protection Regulation, otherwise known as the GDPR), we may share personal information about you with:

- Our local authority, to meet legal obligation
- The Department for Education, to meet legal obligation
- Your family or representatives with written consent, to protect your vital interests
- Educators and examining bodies, to fulfil a contract
- Our regulator, ESFA, to meet legal obligation
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Our auditors, to meet legal obligation
- Health authorities, to fulfil a contract
- Health and social welfare organisations, to meet legal obligations such as Riddor reporting
- Professional advisers and consultants, to fulfil a contract
- Police forces, courts, tribunals, to meet legal obligation
- Ofsted, to meet legal obligation

We routinely share this information with:

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

## **Why we share school workforce information**

We do not share information about our 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

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 children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

We are required to share information about our school employees with the 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 Mr M Wieremiewicz and Mrs K Nayyar, Data Protection Officers.

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please apply in writing, citing your reasons to the Data Protection Officer.

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.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Data Protection Officer.

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **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>

*Ratified by Governors: 06/10/2021*

*Next Review: 06/10/2022*

*(This policy will remain in force beyond the review date if no updates are required)*