



Privacy Notice – School Workforce

What is the purpose of this Notice? This is the Privacy Notice of St James' Catholic Primary School which is intended to provide you with information about how and why we process school workforce information. It is also intended to provide you with other information which is required under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA). The GDPR and DPA contain the key laws relating to data protection. It is important to the School, and a legal requirement, that we are transparent about how we process information. As a school that processes workforce information, we are known as a "data controller". This means that we collect and use personal information for specified purposes which this Privacy Notice has been designed to tell you about.

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, address, date of birth, marital status, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- Next of kin and emergency contact numbers
- contract information (such as start dates, hours worked, post, roles and salary information)
- Bank account details, payroll records, National Insurance Number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a cv or cover letter as part of the recruitment process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and or grievance procedures
- Absence data
- work absence information (such as number of absences and reasons)
- CRB/DBS information – number and date issued
- Data about your use of the school's information and communications system
- CCTV images

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
- Facilitate safe recruitment, as part of our Safeguarding obligations towards pupils
- Support effective performance management
- Allow better financial modelling and planning
- Enable equalities monitoring

The lawful basis on which we process this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;

Article 9

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
 - (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

Education Act 2005 sections 113 and 114 - is a statutory requirement on schools and local authorities for the submission of the school workforce census return, including a set of individual staff records.

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 period of time specified by law and as detailed within our retention policy. We create and maintain an employment file for each member of staff. 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 our retention policy.

Who we share this information with

We routinely share this information with:

- Our local authority
- The Department for Education (DfE)
- The Archdiocese
- Ofsted
- Our auditors

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 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 Mrs M Murray, 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:

Mrs M Talbot
School Business Manager
St James' Catholic Primary School
Ashurst Road
Ashurst
Skelmersdale
WN8 6TN