



PRIVACY NOTICE

How We Use School Workforce Information

Coldwaltham, St. James' C.E. Primary School complies with the GDPR and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. Z7189235).

The Data Protection Officer (DPO) for the school is currently Mary Wratten.

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The categories of workforce information that we collect, 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 recruitment information (and, where relevant, subjects taught)
- Performance (such as capability and disciplinary matters)
- Information relevant to the School Workforce Census and absence information.

Why we collect and use this information:

We use school workforce data to or for:

- Employment purposes
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Assist the running of the school.
- Enable individuals to be paid.

The collection of this information will benefit both national and local users by:

- Improving the management of workforce data across the sector
- Enabling 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 teacher's review body
- Supporting the prevention and detection of crime



The lawful basis on which we use this information

The main reason that the school processes personal data is because it is necessary in order to comply with the school's legal obligations and to enable it to perform tasks carried out in the public interest.

We collect and use information under the lawful bases for processing as set out in Article 6 of the GDPR:

- (a) Consent:** an individual has given clear consent for the school to process their personal data for a specific purpose.
- (b) Contract:** the processing is necessary for a contract the school has with an individual, or because they have asked the school to take specific steps before entering into a contract.
- (c) Legal obligation:** the processing is necessary for the school to comply with the law (not including contractual obligations).
- (d) Vital interests:** the processing is necessary to protect someone's life.
- (e) Public task:** the processing is necessary for the school to perform a task in the public interest or for the school's official functions, and the task or function has a clear basis in law.
- (f) Legitimate interests:** the processing is necessary for the school's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Conditions for processing special category data

The conditions are listed in Article 9(2) of the GDPR:

- (a)** the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- (b)** processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- (c)** processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- (d)** processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and



on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

- (e) processing relates to personal data which are manifestly made public by the data subject;
- (f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- (g) processing is necessary for reasons of substantial public interest, on the basis of 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;
- (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
- (i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- (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.

Collecting this information

Whilst the majority of information that is provided to the school is mandatory, some of it is provided on a voluntary basis. In order to comply with the GDPR, the school will advise on whether information is compulsory or optional.

Storing this information

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they were collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools.



<https://irms.site-ym.com/page/SchoolsToolkit>

Who we share this information with

The school routinely shares information with:

- the local authority
- The Department for Education (DfE)
- agencies with whom we have a duty to co-operate

Why we share school workforce information

We do not share information about our workforce with anyone without consent unless the law and our policies allow us to do so.

We share data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, links to school funding/expenditure and the assessment educational attainment.

We are required to share information about our school employees with our Local Authority and the DfE under section 3 of the Education (Information About the School Workforce) (England) Regulations 2013.

Data collection requirements

To find out more about the data collection requirements placed on us by the Department of Education (for example, via the school census), go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 Nicky Kirby at the school.

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 request 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/>.

Contact

If you would like to discuss anything in this privacy notice, please contact: Nicky Kirby (office@coldwalthamschool.co.uk).