# Privacy Notice (How we use school 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’ to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about the **school workforce.**

We, the College Town Primary School, are the ‘**data controller**’ for the purposes of data protection law.

Our school Data Protection Officer is **Darren Rose of DHR Consultancy**, contact details contained within the ‘additional rights of a data subject’ section of this notice.

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

* personal information (such as name, address, employee or teacher number, national insurance number)
* references
* special categories of data including characteristics information such as gender, age, ethnic group, religion,
* 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, where relevant, subjects taught)
* relevant medical information
* payroll information
* Photos for school passes
* 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
* uphold our statutory obligations for employment and a safe working environment
* inform the development of recruitment and retention policies
* enable individuals to be paid
* to enable setting up of contracts and enable contractual changes

If the school intends to process information other than the purpose originally stated at the time of collection, the school will provide you with information on the other purpose and with any other further information required, prior to any processing under the new purpose.

## The lawful basis on which we process this information

We collect data and use staff information following the UK GDPR, the Data Protection Act 2018 and under the Education Act 1996.

Further information regarding data collection can be found on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We process information in accordance with GDPR under Article 6 ‘lawfulness of processing’ and Article 9 ‘Processing of special categories of personal data’**.**

The school relies on the following legal bases for personal information from Article 6:

Legal Obligation

Where the school needs to use your information in order to comply with a common law or statutory obligation. We may also have to disclose information to third parties such as Children’s services, the courts, the local authority or the police where legally obliged to do so.

Vital Interests

Where the information is needed to prevent someone from being seriously harmed.

Needed for a Contract

Where the school needs to process personal data so that we can fulfil our contractual obligations.

The school also complies with Article 9 of the GDPR where it processes special categories of personal information. The special categories of personal information are: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade unio membership, genetic information, biometric information, health information and information about sex life or orientation.

When we process these special categories of information we rely upon the following legal basis:

Substantial Public Interest

The processing is necessary for the reasons of substantial public interest.

Vital Interests

To protect the vital interests of any person where that person cannot give consent e.g. if they are seriously hurt.

Legal Claims

The processing is necessary for the establishment, exercise or defence of legal claims.

Medical Purposes

This includes medical treatment and the management of healthcare services

The school relies on the following legal bases for personal information from Schedule 1 of the Data Protection Act 2018:

* Employment 1(1) *the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection,*
* Equality of opportunity or treatment 8(1)(b) *is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment…*
* Occupational pensions 21(1)(a) *is necessary for the purpose of making a determination in connection with eligibility for, or benefits payable under, an occupational pension scheme*
* Public Health purposes under 3(a) *necessary for reasons of public interest in the area of public health.*
* Statutory and government purposes under 6(1) (b) *is necessary for the reasons of substantial public interest.*
* Support for individuals with a particular disability or medical condition under 16(1)(a) *is carried out by a not-for-profit body which provides support to individuals with a particular disability or medical condition.*
* Safeguarding of children and of individuals at risk under 18(1) *protecting an individual from neglect or physical, mental or emotional harm*
* Administration of accounts used in commission of indecency offences involving children 35(1) (a) *the processing is of personal data about a conviction or caution for an offence*

## 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 on the schools Management Information System (SIMS) and paper copies in locked filing cabinets. Under our contractual and legal obligations all personal data retained in school is stored and processed securely and constantly reviewed and disposed of in line with the school data retention and destruction policy and data retention schedule.

All staff handling your data have been trained on the principles of data protection and secure record handling using resources obtained from sources including the Information Commissioners Office (ico.org.uk) and the National Cyber Security Centre (ncsc.gov.uk).

# Who we share this information with

We routinely share this information with:

* our local authority
* the Department for Education (DfE)

In order to manage the administration of school functions as effectively as possible we make use of third party web-based software. The third party software we use is:

* Primary Site – Website. Allows secure access for staff.
* School Comms – Facilitates communications between home and school via email and text. Payment system allows online payment for clubs and trips. Club booking system allows parents to book their childs place online.
* School Comms Cypad/School Meals – used by school and parents for the administration of school meals.
* School Pupil Tracker – Used for tracking and accessing pupil progress
* School Cloud – Parents Evening. Allows parents to book a parent evening slot and facilitates parents evenings via online video.
* Educational software

**Transferring data internationally**

Where we transfer personal data to a country or territory outside of the United Kingdom, and, in accordance with the Data Protection Act 2018, either fulfil an adequate regulation, have an adequate safeguard or have an exemption for an occasional transfer.

# 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 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 DfE 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>

**Automated decision making**

The school does not use any automated decision making which would have a legal or similar significant effect on you.

# Requesting access to your personal data

Under data protection legislation, school staff have the right to request access any information, relating to them, that we hold through a ‘**subject access request’**.

In most cases you request will be free of charge unless it is a duplication of an already fulfilled request or if the school determines it to be manifestly unfounded or excessive then the school may either reject your request or charge a reasonable fee.

On receiving a request, and on establishing the identity of the requester, the school will fulfil the request within **1 month** of the request, but without undue delay, unless the request is complex or multiple and then the school will fulfil the request within **3 months** but inform you if it is complex within 1 month.

If you make a subject access request, and if we do hold information relating to 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 or your child
* 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

Full details can be viewed in the school Data Protection Policy Appendix Three ‘Procedures for responding to subject access requests made under the UK GDPR’

You can make a request in any form but for the best response, please write to:

The head teacher

College Town Primary School

Branksome Hill Road

Sandhurst

Berkshire

GU47 0RH

**The additional rights of a data subject**

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
* request your personal data be transferred to another controller in an easily readable format
* object to decisions being taken by automated means
* in certain circumstances, request for your personal data to be deleted or destroyed
* 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 wish to exercise any of your additional rights, please contact our school Data Protection Officer: – Darren Rose,either via email: [**Darren.rose@dhrconsultancy.co.uk**](mailto:Darren.rose@dhrconsultancy.co.uk)

or via post: **DHR Consultancy, 50b Manchester Road, Huddersfield, HD7 5JA.**

**The right to complain**

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: the office, School Business Manager or Head Teacher either in person, by post, to the following address:

College Town Primary School

Branksome Hill Road

Sandhurst

Berkshire

GU47 0RH

Or email secretary@collegetownprimary.com

Or call 01276 31933