

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' (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.

We, Frank Barnes School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Andrew Maughan (see 'Contact us' below).

1. The categories of school workforce information that we collect, process, 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
- Trade union membership
- Contract information (such as start dates, hours worked, post, roles and salary information)
- Performance information
- Outcomes of any disciplinary and / or grievance procedures
- Photographs
- CCTV footage
- Data about your use of the school's information and communication system
- Work absence information (such as number of absences and reasons)
- Health, including any medical conditions
- Qualifications (and, where relevant, subjects taught)
- Recruitment information, including copies of right to work documentation, safeguarding checks, references and other information contained in a cover letter as part of the application process, qualifications and employment records, including work history

2. Why we collect and use this information

We use school workforce data to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Improving the management of school workforce data across the sector
- Support effective performance management
- Allowing better financial modelling and planning
- Enabling special characteristics monitoring
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body

3. The lawful basis on which we process this information

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)
- We have legitimate interests in processing the data – for example:

Article 6 EU GDPR “lawfulness of processing”

1.c. Processing is necessary for compliance with a legal obligation to which the controller is subject, for data collection purposes (Departmental censuses) Education Act 1996.

- Article 9 EU GDPR “Processing of special categories of personal data”
 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.

4. 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.

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.

5. Storing this information

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 our retention policy.

6. Who we share this information with

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about head teacher performance and staff dismissals

- the Department for Education (DfE)
- Governors and trustees
- Your family or representatives
- Educators and examining bodies
- Our regulator (e.g. Ofsted)
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll, HR and pensions
- Central and local Government
- Our auditors
- Trade unions and associations
- Health authorities
- Health and social welfare organisations
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

7. 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.

8. 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>

9. 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 **our Business Manager at bm@fbarnes.camden.sch.uk / data protection officer]**

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/>

10. Further information

If you would like to discuss anything in this privacy notice, please contact: Administrator: Angela Scheffer, Business Manager by email bm@fbarnes.camden.sch.uk

Data protection officer: Andrew Maughan (Camden LA)