



Privacy Notice (How we use school workforce information)

We process personal data relating to those we employ to work at, or otherwise engage to work at our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. We are also required to hold information on staff to fulfil our legal obligations to the Department for Education and the Local Authority in the submission of an annual School Census. In addition, we hold information in order to support staff as part of the process of continuous professional development and to enable us to contact staff or their next of kin in the event of an emergency

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 characteristic 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, where relevant, subjects taught)

Why we collect and use this information

In addition to the reasons outlined above, 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
- as part of our safeguarding duties
- as part of our obligation to complete an annual school census return to the DfE

The lawful basis on which we process this information

We collect and process ‘personal data’ under the following ‘lawful bases’, as defined within the GDPR and The Data Protection Act 2018:

- to fulfil our duties as a public authority to report to the LA and the DfE, which is defined as our ‘public task’
- to support the smooth running of the school and the effective development and deployment of staff, which is defined as our ‘legitimate interest’
- to ensure the payment of staff and fulfilment of our contractual obligations, which is defined as ‘contract’

We collect and use ‘special categories of personal data’ under the following ‘lawful bases’ as defined within the GDPR:

- Article 9(2)(a): where you have understood the reason for us requesting the data and have given your consent to us doing so for the purpose specified
- Article 9(2)(b): where processing is necessary for the purposes of carrying out the obligations in the area of social protection law
- Article 9(2)(c): that processing is necessary to protect your vital interests where you are physically or legally unable to give consent.



- Article 9(2)(d): that processing is carried out in the course of our legitimate activities, with appropriate safeguards

Collecting workforce information

We collect personal information via application forms and annual update request forms and direct notifications of any changes.

Workforce data is essential for the school'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 UK 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.

Storing this information

We hold and retain school workforce data securely for the set amount of time shown in our data retention schedule, in line with our legal obligations under:

- the Education Act 1996
- section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Keeping Children Safe in Education
- the requirements of the Disclosure and Barring Service and the Home Office
- the requirements of HMRC
- with references to the **Information Record Management Society**,

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- Third party software providers where necessary e.g. SISRA Observe

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.

Department for Education (DfE) / Local authority (LA)

We are required to share information about our workforce members with the DfE and our LA under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

All data is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current **government security policy framework**

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- Informs the DfE 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 for Education (DfE)

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 DfE 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
- 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>

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 Data Protection Administrator.

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/>

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified, if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict the processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific /historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly effect on you

How to find out what personal information the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a subject access request. Further information on how to do this can be found within the DfE's personal information charter that is found here:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

Further information

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Administrator dpa@jogschool.org

i-West, Data Protection Officer at jwest@bathnes.gov.uk

To contact the department for education: <https://www.gov.uk/contact-dfe>

