Stanford Infant School
General Data Protection Regulation (GDPR)

Privacy Notice for the School Workforce - How we use Staff Information

Purpose of this Document
Stanford Infant School is a data controller and this document describes the workforce data that is collected and how it is processed. As a controller we are responsible for deciding what data is collected and how it is processed.
Under the Data Protection Act 2018 and the GDPR we must abide by the principles of transparency and the right of data subjects to be informed how their data is processed.

This document provides such information. It will be updated from time to time and updates communicated to the relevant data subjects.

It is your duty to inform us of any changes.

Who Processes Your Information?
Stanford Infant School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to staff is to be processed.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places data protection requirements on third party processors to ensure data is processed in line staff members' privacy rights.

Will Your Personal Data Be Sought From Third Parties?
Staff members' personal data is only sought from the data subject. No third parties will be contacted to obtain staff members' personal data without the data subject's consent.
Staff members' personal data may be obtained and processed from third parties where the law requires the school to do so, e.g., medical records from a GP. The categories of data obtained and processed from third parties include:

Pre-Employment References.
DBS Application.
Where data is obtained from third parties, the personal data originates from the following sources:
DfE Prohibition Check – originally provided by educating body.
DBS Police Checks.

Why we Collect and Use this Information

Stanford Infant School has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the school, or those otherwise contracted to work at the school. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- School Staffing (England) Regulations 2009 (as amended)
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009

Staff members' personal data is also processed 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.
If staff members fail to provide their personal data, there may be significant consequences. This includes the following:

<u>Employment Checks:</u>
Failure to provide the school with ample proof of a right to work in the UK will prevent employment at Stanford Infant School.
Employees found to be working illegally could face prosecution by law enforcement officers.

<u>Salary Requirements:</u>
Failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax.

The Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

Used lawfully, fairly and transparently

Collected and used only for the specific, explicit and legitimate purpose they have been collected for and not for any other purposes
Adequate and relevant and limited only to what is necessary
Accurate and kept up to date
Kept only as long as necessary
Kept securely, using appropriate technical and/or organisation measures

What Are Your Rights?

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.
Staff members also have the right to lodge a complaint with the Information Commissioner's Office (ICO) in relation to how Stanford Infant School processed their personal data.

As the data subject, you have specific rights associated with how your data is collected and processed. Not every right is absolute, but under certain circumstances you can invoke the following rights:

Request access to the personal data that Stanford Infant School holds.
Request that your personal data is amended.
Request that your personal data is erased.
Request that the processing of your data is restricted.
Right to be informed
Right to data portability
Right to not be subject to decisions based on automated decision making
Right to restrict processing
Right to seek compensation for damages caused by a breach of the Data Protection regulations.

The Data Protection Officer (DPO) is in position to ensure your rights are supported. James England, on behalf of the SEGfL, is the Data Protection Officer. His role is to oversee and monitor the school's data processing practices. He can be contacted on 0118 978 9679 or admin@dataprotection.education.

The Lawful Basis on Which We Process This Information

We collect and process school workforce information:

Under Article 6 of the General Data Protection Regulation (GDPR) to perform our official function (public task).

Classed as Special Category data, e.g., race, ethnicity etc. under Article 9 of the General Data Protection Regulation (GDPR) to carry out tasks in the public interest.
Where it 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.
Where it is carried out as a task in the public interest such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.
Under the terms of the contract of employment.
As part of the recruitment process background checks will be done which may involve the collection of criminal convictions. We will process criminal conviction data as it is reported during employment/recruitment to assess suitability of continued employment/recruitment.
Where you have given us consent to do so.

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.

Information will be collected during the application and recruitment process, from you or your agency. Additional information may be requested from third-parties during the recruitment process including agencies undertaking background checks and former employers.

Storing this Information
We hold school workforce data as documented in our Retention Schedule, which can be requested by contacting the School Office.

Types of School Workforce Data
The categories of school workforce information that we may collect, process, hold and share include:

Personal Information
Such as:

- Name
- Date of Birth
- Gender/Gender Recognition Certification

- National Insurance Number
- Nationality
- Contact Details (home phone number, personal email address)
- Address
- Marital Status
- Emergency Contact / Next of Kin

Special Categories of Data

- Racial / Ethnic Group
- Religion
- Trade Union Membership
- Health Data including:
    - Occupational Health Referrals and Associated Data
    - Pre-employment Medicals
    - Disabilities
    - Access to Work Assessments and Associated Data
    - Absence when due to Sickness
- Sexual Orientation (if raised in discrimination issues)
- Criminal Convictions
- Prohibition Order Check Results
- Childcare Disqualification Check Results
- Disclosure and Barring Service (DBS) Check Results

Contract and Work Record Information

- Employee and/or Teacher Number
- Start Dates
- Working Hours
- History of Posts Held
- Contract Offer
- Work History including:
    - Details of previous jobs and employers
    - Referees

    - Job Application
    - Qualifications
- Absence Record
- Disciplinary/Grievance/Complaint Records
- Right to Work Information (passport, visa, indefinite leave to remain)
- Training Records
- Performance Review Data
- Accident/Incident Reports
- Safeguarding Data

Financial
Such as:

- Bank Details
- Salary, Payroll and Tax Information
- Pension Deductions

Who We Share This Information With
We routinely share this information with:

- Our Local Authority;
- The Department for Education (DfE);
- Stanford Infant School will not share your personal information with any third parties without your consent, unless the law allows us to do so.

We are required, by law, to pass on some personal information to our Local Authority (LA) and the Department for Education (DfE).

The workforce information that we lawfully share with the DfE through data collections:

Informs the DfE's 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.

As the employer, the LA is provided with staff members' data in the interest of:

- Payroll
- Human Resources
- Absence Management
- Occupational Health

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.

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 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

How long is your Data Retained for?
Staff members' personal data is retained in line with Brighton and Hove Council's retention policy of 5 years after the employment end date. Personal information may be retained for the following periods depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please speak to the Office Manager, Hannah Parker.

How Can You Find Out More Information?
If you require further information about how we and/or the DfE store and use your personal data, please visit our website, www.stanfordinfants.co.uk, the Gov.UK website, or download our GDPR Data Protection Policy.

Concerns about how your Personal Data is handled
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 using the contact information on the first page of this document.

Alternatively, you can contact the Information Commissioner's Office at https://ico.org.uk/concerns/