



Abbotskerswell Primary School

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Privacy Notice - How we use 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. Decoy Primary School is the 'data controller' for the purposes of data protection law. Our data protection officer is (tbc)

The categories of school information that we process include:

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

Contact details

- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Disclosure and Barring Information
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- ID
- Photographs
- Data about your use of the school's information and communications system. We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):
 - Race, ethnicity, religious beliefs, sexual orientation and political opinions
 - Trade union membership
 - Health, including any medical conditions, and sickness records

This list is not exhaustive, to access the current list of categories of information we process please see

Why we collect and use workforce information

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- enable the development of a comprehensive picture of the workforce and how it is deployed
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning

- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

We use workforce data to:

- a) inform the development of recruitment and retention policies
- b) enable individuals to be paid

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, where:

- 1) You have applied for another position and references are required as part of safer recruitment
- 2) Your marital status has changed and we are obliged to inform government office about 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.

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

Collecting workforce information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

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. You are able to have access to your file at any time to ensure that all information about you is up to date. Once your employment with us has ended, we will retain this file and delete the information in it in accordance with Devon's LA Retention Policy.

Who we share workforce 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 Headteacher performance and staff dismissals

- The Department for Education- to meet our legal obligations to share information linked to performance data.
- Your family or representatives- to carry out our public task in the event of an emergency
- Other staff members- to carry out our public tasks, for example having access to your school email address so that information can be shared effectively
- Our regulator Ofsted, in order to comply with our public task
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Central and local government to complete the legal obligation for things such as the workforce census
- Auditors- coming under a legal obligation
- Survey and research organisations- to meet our legal obligation in relation to ‘freedom of information’ requests
- Trade unions and associations- to carry out our public task in light of any key discussions within school linked to disciplinary/capability procedures or for events such as redundancy.
- Security organisations- in order to keep our school secure and under the lawful basis of public task, we pass on certain staff member information so that they can be contacted if necessary (such as the caretaker).
- Health and social welfare organisations to carry out our public task in line with our attendance management policy with organisations such as occupational health
- Police forces, courts, tribunals- to meet our legal obligations to share certain information with it, such as safeguarding concerns or to carry out our public task in relation to a tribunal.
- Employment and recruitment agencies- to meet the public task of supplying requested references.
- The governors- to carry out our public task within the school and remain accountable to them for finance and personnel issues.

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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

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

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

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 Graham Lawrence or Rachel Johns

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
- a right to seek redress, either through the ICO, or through the courts

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/>

How Government uses your data

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

- informs departmental 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

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.

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