

# GDPR Support for Schools

## Killamarsh Infant and Nursery School Privacy Notice (How we use workforce information)

We collect, hold and share personal information on the School workforce. The School workforce includes all those employed to teach, or otherwise engaged to work, either on a paid, contracted or voluntary basis, at the school.

### The categories of school information that we process include:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons) and relevant medical information
- qualifications (and, where relevant, subjects taught)
- photographic records

This list is not exhaustive, to access the current list of categories of information we process please contact the School Office, Headteacher or the School's Data Protection Officer.

### Why we collect and use workforce information

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) facilitate safer recruitment
- e) support effective performance management
- f) allow better financial modelling and planning
- g) support the management of sickness absence
- h) photographic images for identification purposes [safe guarding]
- i) to meet the statutory duties placed upon us for DfE
- j) to comply with the law regarding data sharing
- k) for site security
- l) protect public monies against fraud
- m) to streamline systems

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

- Article 6(a) - Consent (for any processing which does not fall into the bases detail within this section below)
- Article 6(c) - Compliance and Legal Obligation  
In particular, but not exclusively, section 5 of the Education (Supply of Information about the

## GDPR Support for Schools

- School Workforce) (England) Regulations 2007 and amendments
- Article 6(e) - Public Interest.

In addition, concerning any special category data of GDPR - Article 9 :

- Article 9(2g) - Processing is necessary for reasons of substantial public interest

Data Protection Act 2018 part 2 schedule 1;

- 8 - Equality of Opportunity or Treatment
- 16 - Support for Individuals with a Particular Medical Condition
- 18 - Safeguarding Children and Individuals at Risk

### **How we collect workforce information**

We collect personal information via contract forms, self-certification forms [medical], Fit Notes, images provided by individuals or taken using school photographic equipment, local authorities, previous employers, NHS, the Police and the department for Education [DfE].

Workforce data is essential for the School's /Local authority'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 data protection legislation, 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.

### **How we store workforce information**

We securely store workforce information on the School's IT network. Secure storage is provided for paper based records. We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit

<https://www.derbyshire.gov.uk/site-elements/documents/pdf/working-for-us/data/how-to-dispose-of-confidential-information-safely/records-retention-schedules/school-guidelines-on-records-retention-periods.pdf>

### **Who we share workforce information with**

We routinely share this information with:

- our Local Authority
- our Governing Body
- the Department for Education (DfE)
- Employers where references are requested
- Police
- Third party systems used by the School to carry out day to day processes and requirements. For example, and not limited to; RM Integris, Purple Mash, Bug Club, Times Tables Rockstars, ParentPay, Purple Mash.

For a full list of the third parties we share with, please ask at the School Office.

## GDPR Support for Schools

### Why we share school workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

When we do share information, it is for the purposes outlined in section 'Why we collect and use workforce information'.

### 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.

This may include, inter alia matters relating to the following: -

- **payroll,**
- **contracts,**
- **Occupational Health**

### Department for Education

We share personal data with the Department for Education (DfE) on a statutory basis. 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.

### 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 Dawn Frisby, personnel manager.

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/>

### Contact

If you would like to discuss anything in this privacy notice, please contact the School Office, Headteacher or School Data Protection Officer:

<b>Data Protection Officer Name:</b>	GDPR for Schools, Derbyshire County Council
<b>DPO Email:</b>	<a href="mailto:gdprforschools@derbyshire.gov.uk">gdprforschools@derbyshire.gov.uk</a>
<b>DPO Phone:</b>	01629 532888
<b>DPO Address:</b>	Room 396, North Block, County Hall, Smedley Street, Matlock, Derbyshire, DE4 3AG

## GDPR Support for Schools

### 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

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>.

### 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>