

Derwent Vale Primary School

Privacy Notice (How we use school workforce information)

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, address, employee or teacher number, national insurance number)
- special categories of data including characteristics 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)
- relevant medical information

Why we collect and use this information

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

The lawful basis on which we process this information

We process this information under:

1. Article 6.1(c) - Processing is necessary for compliance with a legal obligation to which the school is subject;
2. Article 6.1(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the school;
3. Article 6.1(b) – Processing is necessary for the performance of a contract to which the data subject (or their representative) is party or in order to take steps at the request of the data subject (or their representative) prior to entering into a contract;
4. Article 6.1(d) - Processing is necessary in order to protect the vital interests of the data subject or of another natural person; and
5. Article 6.1(a) - The data subject (or their representative) has given consent to the processing of his or her personal data for one or more specific purposes.

In relation to Special categories of personal data, we collect and use employee information under:

1. Article 9.2(b) – Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller of the data subject in the field of employment or social security and social protection law, providing for appropriate safeguards for the fundamental rights and interests of the data subject.

2. Article 9.2(h) – processing is necessary for preventative or occupational medicine, for an assessment of the working capacity of an employee pursuant to a contract with a health professional.
3. Article 9.2(g) – Processing necessary for reasons of substantial public interest, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide suitable and specific measures to safeguard the fundamental rights and interests of the data subject.
4. Article 9.2(c) – Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and
5. Article 9.2(a) – The data subject (or their representative) has given explicit consent to the processing of those personal data for one or more purposes.

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.

Storing this information

All employee records will be kept securely at all times. Paper records will be kept in lockable storage and all data stored electronically will have appropriate levels of security. We hold employee data for up to 25 years depending on the category of data.

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

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 (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>

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 the school office (admin@derwentvale.cumbria.sch.uk) or the school's Data Protection Officer, Marnie Jackson.

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/>

Further information

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

The School Office, Derwent Vale Primary & Nursery School, William Street, Great Clifton, Workington, CA14 1WA Tel: 01900 601233 Email: admin@derwentvale.cumbria.sch.uk or the school's Data Protection Officer, Marnie Jackson care of the School Office.