

PRIVACY NOTICE

School Workforce: those employed or otherwise engaged to work at a school or the Local Authority

Privacy Notice – The Data Protection Act 1998 and General Data Protection Regulation 2018 : How we use your information

We collect and process employee information as part of our public functions under both the Data Protection Act 1998 and General Data Protection Regulation.

We Gainsborough Primary & Nursery School 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.

Why do you need my information?

The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

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

- Personal information (such as name, NI number)
- Characteristics (such as ethnicity, nationality, country of birth)
- Qualifications
- Work related information (including employment contracts, remuneration details, and absence information).

Collecting information

In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing workforce data

We hold workforce data for the length of time as specified in the Information and Records Management Society's toolkit for schools.

How will my information be stored?

Hard copies of information will be held securely in the Business Manager's Office. This information is uploaded into the SIMs database and Cheshire East electronic systems for contractual and payroll details.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

What allows you to use my information?

The submission of the school workforce census return, including a set of individual staff records, is a statutory requirement on schools and local authorities by virtue of regulations made under sections 113 and 114 of the Education Act 2005. This means that:

- although schools and local authorities must meet their obligations to data subjects under the Data Protection Act, they do not need to obtain consent for the provision of information from individual members of the workforce
- schools and local authorities are protected from any legal challenge that they are breaching a duty of confidence to staff members
- schools and local authorities must complete a return.

Who will my information be shared with?

We will not share information about you with third parties without your consent unless the law allows us to.

We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE). The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 store and handle the data
- emergency services
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

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 DfE: <https://www.gov.uk/contact-dfe>

Will this information be used to take automated decisions about me?

The LA and DfE do not use it for these purposes.

Will my data be transferred abroad and why?

The LA does not do this.

Requesting access to your personal data

You have the right under the Data Protection Act 1998 (General Data Protection Regulation) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

To make a request for your personal information, contact Mrs J Irlam Data Protection Lead.

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, you should raise your concern with us in the first instance:

- Mrs J Irlam, Data Protection Lead: bursar@gainsborough.cheshire.sch.uk or directly to 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:

- Mrs J Irlam, Data Protection Lead: bursar@gainsborough.cheshire.sch.uk