

## **PRIVACY NOTICE**

May 2018

### **Privacy Notice (How we use school workforce information)**

This notice is to help you understand how and why we collect personal information about you and what we do with that information.

**Personal information is information that identifies you as an individual.**

The notice also explains the decisions that you can make about your own information. If you have any questions about this notice please contact the schools Business Manager.

This Privacy Notice applies alongside any other information the School may provide about a particular use of personal data, for example when collecting data via an online or paper form. This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies, including:

- any contract between the School and its staff or the parents of students;
- the School's policy on taking, storing and using images of staff;
- the School's policy on the use of CCTV;
- the School's retention of records policy;
- the School's safeguarding and pastoral policies;
- the School's Health and Safety policy, including how concerns or incidents are recorded;
- the School's IT policies, including its Acceptable Use policy, e-Safety policy

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

- personal information (such as name, 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)
- To safeguard staff welfare and provide appropriate pastoral care;
- To fulfil our contractual and legal obligations
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT Acceptable Use Policy
- To make use of photographic images of staff in School publications, on the School website and (where appropriate) on the School's social media channels in accordance with the School's policy on Taking, Storing and Using Images of staff;
- For security purposes, including CCTV in accordance with the School's CCTV policy;

Where otherwise reasonably necessary for the School's purposes

In addition, the School may need to process “special category” personal data (concerning health, ethnicity, religion, or sexual life) in accordance with the rights or duties imposed on it by law, including as regards safeguarding or from time to time by explicit consent where required. These reasons may include:

- To safeguard staff' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so: for example for medical advice.
- To provide support services in the context of any special needs of a staff member;
- To provide appropriate consideration in the context of any religious beliefs;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

### **Why we collect and use this information**

This section contains information about the legal basis that we are relying on when handling your information.

**Legitimate interests:** This means that the processing is necessary for legitimate interests except where the processing is unfair to you. The School relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the School has a legitimate interest in:

- Safeguarding and promoting the welfare of students and staff;
- Facilitating the efficient operation of the School;
- Ensuring that all relevant legal obligations of the School are complied with.

**Legal obligation:** Where the School needs to use your information in order to comply with a legal obligation. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

**Vital interests:** For example, to prevent someone from being seriously harmed.

**Public interest:** The School considers that it is acting in the public interest when providing education.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows:

**Personal information:** revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

**Substantial public interest:** The processing is necessary for reasons of substantial public interest.

**Vital interests:** To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

**Legal claims:** The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

**Medical purposes:** This includes medical treatment and the management of healthcare services.

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to schools Business Manager if you would like to withdraw any consent given.

### **Sending information to other countries:**

We may send your information to other countries where:

- We store information on computer servers based overseas.
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The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index_en.htm)

If the country that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then it might not have the same level of protection for personal information as there is the UK.

### **For how long do we keep your information?**

We keep your information for the duration of your employment.

### **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.

### **Who we share this information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- Other from the audit we have collected

### **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.

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

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 is 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 Issy Johnson, School Business 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
- 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's Business Manager (**[issy.johnson@baytreeschool.co.uk](mailto:issy.johnson@baytreeschool.co.uk)**)