

School Workforce Privacy Notice

Leicester City Council collects and processes personal data relating to employees to manage the employment relationship. The Council is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The categories of school information that we process

The Council collects and processes a range of information about employees. This may include:

- your name, address and contact details, including email address and telephone number, date of birth and
- gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with
- previous employers and with the Council;
- information about your remuneration;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your work pattern and attendance at work;
- details of leave taken by you, including holiday, sickness absence, family related leave and career breaks, and
- the reasons for the leave;
- details of any attendance management, disciplinary or grievance proceedings in which you have been involved,
- including any warnings issued to you and related correspondence;
- assessments of your performance from supervisions, one-to-ones, appraisals , performance improvement plans,
- related correspondence or that gathered through recruitment, probation or organisational review processes;
- details of any training and development;
- expenses claimed for; including out of pocket and travel related;
- Business travel related details and documentation.
- information about medical or health conditions, including whether or not you have a disability for which
- reasonable adjustments are made;
- health related referrals such as those to occupational health, musculoskeletal rehabilitation services, or a
- counselling service;
- equal opportunities monitoring information;
- information about trade union membership
- information regarding pensions; scheme (non) membership and contributions
- any voluntary or non-voluntary salary deductions (student loan, donations to charity etc.)

This list is not exhaustive. The Council may collect this information in a variety of ways. Data might be collected through application forms, identity documents, forms completed by you at the start of or during employment, from correspondence with you, employee surveys, or through interviews,

meetings, or assessments. The Council will seek information from third parties with your consent only or where required to fulfil a lawful obligation.

Employment decisions are not based solely on automated decision-making.

Data will be stored in a range of different places, including in your electronic personnel file in the HR information management system, payroll and other IT systems (including the Council's email system).

Why we collect and use workforce information

The Council needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. The Council needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits such as your pension and other entitlements.

In some cases, the Council needs to process data to ensure that it is complying with its legal obligations. For example, the requirement to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety legislation and to enable employees to take periods of leave to which they are entitled.

In other cases, the Council has a public task or legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Council to:

- run recruitment and organisational review processes;
- maintain accurate employment records, contact details including details of who to contact in the event of an
- emergency, and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the
- workplace;
- operate and keep a record of employee performance and related processes, to appraise performance, plan for
- career development and for workforce management purposes;
- operate and keep a record of absence and absence management proceedings, to allow effective workforce
- management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that the Council complies with duties in relation to individuals with
- disabilities, and meets obligations under health and safety legislation;
- operate and keep a record of other types of leave (including annual leave, maternity, paternity, adoption,
- parental and shared parental leave), to allow effective workforce management, and to ensure that the Council
- complies with duties in relation to leave entitlement, and to ensure that employees are receiving pay or other
- benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims;
- maintain and promote equality in the workplace;
- Make statutory data reports related to the workforce

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out legal employment obligations (such as those in relation to employees with disabilities).

Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring and equality impact assessment.

Collecting 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

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 GDPR and the Data Protection Act 2018, 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.

Storing workforce information

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 www.leicester.gov.uk and click on the Privacy Notice.

Who we share workforce information with

Your information may be shared internally, including with members of the HR and payroll teams, your line manager, managers in the service area in which you work and IT staff if access to the data is necessary for performance of their roles.

The Council may share your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

The Council may also share your data with third parties in the context of the Transfer of Undertakings (Protection of Employment) Regulations. In those circumstances the data will be subject to confidentiality arrangements.

The Council also shares your data with third parties that process data on its behalf in connection with payroll, the provision of benefits and the provision of occupational health services.

The Council will not transfer your data to countries outside the European Economic Area.

We routinely share information with:

- Maintained schools, Academy Schools and free Schools (where applicable)
- Academy chains / federations / Multi Academy Trusts (MATs) (where applicable)
- the Department for Education (DfE)

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:

Schools are required to share information about 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](#).

For more information, please see 'How Government uses your data' section.

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 your school's data protection officer and / or the Council's data protection officer.

You have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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. After exercising our complaints process, you can then contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the relevant data protection officer.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 14 December 2018. (GDPR v1.0).

Contact

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

Data controller: Leicester City Council

Data Protection Officer:

Data Protection Officer,
Information Governance & Risk
Legal Services
4th Floor, Rutland Wing
City Hall
115 Charles Street
Leicester
LE1 1FZ
Email: data-protection-officer@leicester.gov.uk

What if you do not provide personal data?

You have obligations under your employment contract to provide the Council with data. You may also have to provide the Council with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Council to enter a contract of employment with you. If you do not provide such information, this will hinder the Council's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

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 (DfE) 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 DfE 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.

How to find out what personal information DfE hold about you

Under the terms of the GDPR and the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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