



# **Hornsea Burton Primary School Privacy Notice for staff and governors (How we use workforce information)**

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

- personal information (such as name, employee or teacher number, national insurance number, next of kin)
- 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)
- qualifications (and, where relevant, subjects taught)
- relevant medical information
- first aid training
- other training completed and inductions completed
- appraisal information
- references
- disclosure information, DBS, prohibited from teaching register, EEA Restrictions (Teachers who have lived/worked outside the UK)
- information regarding the right to work in the UK
- pecuniary interests
- participation in educational visits and school extra-curricular activities (if relevant)

This list is not exhaustive. However, we will endeavour to update the list on a regular basis and at least annually.

## **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) inform the review of appraisal targets
- d) inform and access professional development for the workforce
- e) enable individuals to be employed and paid
- f) safeguard pupils and vulnerable adults
- g) set up staff username and log in details to access different online resources
- h) enable staff to receive up to date information as appropriate
- i) inform critical incident planning

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

## **Article 6 GDPR "Lawfulness of processing":**

For the purposes of (a), (b), (c) & (d) below in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function:

*(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;*

*(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;*

*(c) processing is necessary for compliance with a legal obligation to which the controller is subject;*

*(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;*

For the purposes of (e) below in accordance with the legal basis of Vital interests: to keep adults safe (food allergies, or medical conditions):

*(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 controller;*

For the purposes of (f) below in accordance with the legal basis of Legal obligation: data collected for DfE census information:

*(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.*

## **In addition, concerning any special category data:**

conditions a,b,c,d,e,f,g,h,i,and j of [GDPR - Article 9 as listed below](#)

## **"Processing of special categories of personal data":**

*(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;*

*(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;*

*(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;*

*(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;*

*(e) processing relates to personal data which are manifestly made public by the data subject;*

*(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;*

*(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;*

*(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;*

*(i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;*

*(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

## **Collecting workforce information**

We collect personal information via medication forms, staff contract forms, application forms, DBS forms, qualification certification.

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, 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.

This information relating to data collection and census returns which we legally are obliged to do, can be found in the guide documents on the following website:

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

## **Storing workforce information**

We hold data securely for the set amount of time shown in our data retention schedule. The Retention Schedule is divided into five sections:

1. Management of the School
2. Human Resources
3. Financial Management of the School
4. Property Management
5. Pupil Management
6. Curriculum Management
7. Extra-Curricular Activities
8. Central Government and Local Authority

For more information on our data retention schedule and how we keep your data safe, please visit our school website:

<http://www.hornseaburton.eriding.net/>

Our school keeps information about you on computer systems and also sometimes on paper.

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

We routinely share this information with:

- our local authority and all relevant departments within it
- the Department for Education (DfE)
- Hornsea Burton and Skipsea Federation
- Riding Forward Teaching School Alliance (of which we are a member)
- Pixl (of which we are a member)
- Teachers2Parents
- Tapestry
- Education City
- Charanga
- Chris Quigley online Curriculum
- Pindigo
- Hamilton Trust
- School's IT support
- Other schools and Local Authorities and their relevant services if requested for job reference purposes
- Police (when necessary)

## **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.

### **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**

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:

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.

This information relating to data collection and census returns which we legally are obliged to do, can be found in the guide documents on the following website:

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

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 Mrs Marsh at the school office (01964 536594) in the first instance or you can go direct to Mrs Inns (Data Protection Officer for Hornsea Burton and Skipsea Federation)

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: Mrs Marsh at the school office (01964 536594) in the first instance or you can go direct to Mrs Inns (Data Protection Officer for Hornsea Burton and Skipsea Federation)

## 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 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>