Privacy Notice for the School Workforce: those employed to teach, or otherwise engaged to work

St Patrick's Catholic Voluntary Academy

Approved by:	Headteacher	**Date:**	September 2023
Last reviewed on:	September 2023		
Next review due by:	September 2024		

This statement should be read in conjunction with the Data Protection policy and the Use of School Workforce Images Policy.

This statement is intended to provide information as to how we will collect, use or process personal data relating to the school workforce.

Responsibility for Data Protection

St Patrick's is registered with the Information Commissioner's Office. The registration number is Z8183503**.**

The Data Protection Officer (DPO) for the school is Elisabeth Phillips. The DPO can be contacted on ephillips@st-patricks.sheffield.sch.uk or 0114 245 6183.

The school workforce has a responsibility to abide by school policies and the law relating to data protection.

The Data Protection Act 2018: Why do we collect and use school workforce information?

By school workforce we mean those staff who work in the school, or have applied to work in the school. We collect and use school workforce information under the following Articles of the General Data Protection Regulations (GDPR)

Article 6:

Processing shall be lawful only if and to the extent that at least one of the following applies:

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

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 Controller.

Article 9:

With regards to the processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited except:

9 (2) a. Where we have explicit consent of the data subject.

For the avoidance of doubt, throughout this document we are using and applying the GDPR definition of **consent**, namely "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her."

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;
- To enable collection of payment towards pension schemes, Westfield health care schemes, salary sacrifice schemes and trade union membership subscriptions;
- To satisfy the requirements of pre-employment checks / Single Central Record recording.

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 school workforce information that we collect, hold and share include:

- Personal information (such as name, date of birth, gender, address and a copy of a document confirming proof of address, telephone number, email address, marital status);
- Characteristics (such as ethnicity, language, religion, nationality, country of birth);
- Pre-employment checks information (such as identity check, references, right to work in the United Kingdom);
- Contract information (such as dates of employment, hours worked, post, role and salary information);
- Appraisal information (such as objectives, observations, reviews);
- Contract processing information (such as bank account details, national insurance number);
- Attendance information (such as sessions attended, number of absences and absence reasons, completed self-certificates, completed return to work forms, doctors notes and other medical evidence);
- Organisational information (such as staffing structure, pecuniary interests, training records);
- Medical information (including a pre-employment health check questionnaire and the outcome of any occupational health referral, disability, medical conditions);
- Qualifications (and, where relevant, subjects taught);
- Result of a DBS disclosure;
- School workforce images including photographic identification document;
- Computer use history, including web browsing history and email records;
- CCTV footage.

Collecting school workforce information

Whilst the majority of school workforce information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you at the point of data collection whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing school workforce information

- Unless stated below we hold school workforce personal files for 6 years after the termination date of employment;
- Where an allegation of a child protection nature has been made against a member of the school workforce, including where the allegation is unfounded, we hold school workforce personal files until the person's normal retirement age or 10 years from the date of the allegation, whichever is the longer, and then review on a case by case basis as per "Keeping Children Safe in Education Statutory Guidance for Schools and Colleges September 2016" and "Working together to Safeguard Children. A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children March 2015."
- Where former school workforce have given consent, we store personal information (name and contact details) to enable alumni to remain involved with the school community until such point as they withdraw that consent;
- CCTV footage is stored for a maximum period of 4 school weeks unless there are specific circumstances that fall under Article 6(1)e of the GDPR that would allow us to retain footage for a longer period.

Who do we share school workforce information with?

We routinely share school workforce information with:

- The Department for Education (DfE);
- The Catholic Education Service;
- The Diocese of Hallam;
- HMRC;
- The school's appointed Human Resources and Payroll provider, currently [name of HR/Payroll provide];
- The school's appointed accountants for statutory financial auditing, currently [name of auditor];
- Office for National Statistics;
- Sheffield Local Authority;
- Teachers' Pension Scheme and South Yorkshire Pension Scheme.

Where the data sharing is not undertaken on a statutory basis, we will ensure that we have either:

- A contractual agreement for the sharing of data with the company concerned demonstrating compliance to GDPR; or
- A copy of an up-to-date privacy statement from the company that satisfactorily demonstrates their compliance to GDPR for the purposes of the data sharing concerned. This will include those companies where school workforce is directed by the school to register online using their school email address.

A register of companies with whom we share data on a non-statutory basis is maintained by the Data Protection Officer and currently includes, but is not limited to:

- CPOMS - to log safeguarding information as part of our statutory obligations as per the requirements 'Working Together to Safeguard Children, September 2016.";
- Companies providing catering services to the school – currently Dolce – in order to provide meals to school workforce at lunchtime;
- Companies taking school photographs – currently Hodkin Photography – in order that we

can provide school workforce with an opportunity to purchase school photographs;
- Companies providing IT support for the school – currently AAG;
- Companies providing payroll services – currently Capita;
- Companies providing HR consultancy – currently BrowneJacobson
- Westfield Health Care – to allow school workforce to access salary sacrifice schemes;
- PMX – to enable school to communicate electronically with parents;
- Universities and potential employers where a reference is asked for.

Why we share school workforce information

We do not share information about our school workforce without consent unless the law and our policies allow us to do so. We are required, by law, to pass on some of this personal data to:

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 of educational attainment.

We share personal data with the Catholic Education Service on a statutory basis. This data sharing underpins workforce policy monitoring and evaluation.

We share personal data with the Diocese of Hallam on a statutory basis. This data sharing underpins workforce policy monitoring and evaluation.

We share personal data with HMRC for the collection of tax and national insurance contributions.

We share personal data with the school's appointed Human Resources and Payroll provider to ensure that contracts are in place and that salaries are paid.

We share personal data with our appointed accountants to fulfil our statutory auditing requirements as a limited liability company and to fulfil our internal auditing procedures.

We share personal data with the Office for National Statistics as part of mandatory data collection exercises.

We share personal data with Sheffield Local Authority on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment.

We share personal data with the Teachers' Pension Scheme and the South Yorkshire Pension Scheme to enable the collection and passing over of pension contributions.

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 workforce 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 information

Under data protection legislation, the school workforce has the right to request access to information about them that we hold. This is referred to as a Subject Access Request (SAR). The GDPR clarifies that the reason for allowing individuals to access their personal data is so that they are aware of and can verify the lawfulness of the data processing. To make a request for your personal information, contact the Data Protection Officer.

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.

To make a SAR, or to exercise any of your rights under data protection regulation, you should contact the Data Protection Officer at the school.

On receipt of a request to exercise any of your rights under data protection regulation, the school will:

- Respond to acknowledge receipt of your request;
- Request proof of identify of the person making the request;
- Inform you as to whether there are any statutory reasons why we may be unable to respond to your request;
- Act in accordance with the GDPR in terms of our actions in response to your request, and with due regard to the timescales set out in the GDPR.

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 or directly to the Information Commissioner's Office at https://ico.org.uk/concerns/

If you require more information about how we and/or DfE store and use your personal data please visit:

- https://www.sheffield.gov.uk
- https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

If you want to see a copy of information about you that we hold, please contact the Data Protection Officer.