Model School Workforce Privacy Notice

The Cottesloe School

Policy Type:	Statutory
Reviewed by:	Mrs J Woods (HR Manager and Mrs C Stirk (Policies Governor)
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1. Introduction

We collect and use the personal information of employees, prospective employees, agency staff and contractors so that we can operate effectively as a school and meet our legal obligations.

This privacy notice explains how we collect, store and use (i.e. process) your personal information, before, during and after your working relationship with us. It also lets you know what rights you have in relation to our processing of your personal information.

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

School Data Lead:	Nicola Hulland School Business Manager office@cottesloe.bucks.sch.uk
Data Protection Officer:	Nicola Cook, SchoolsDPO Ltd nicola@schoolsdpo.com 01296 658502

2. The categories of school workforce information we process includes:

- **Personal identifiers and contacts**, e.g. name, employee or teacher number, national insurance number, contact details and address, identification documents, photographs, CCTV images
- **Characteristics**, e.g. gender, ethnicity, health and medical information, any accident records, any declared criminal convictions
- **Emergency contacts**, e.g. next of kin, emergency contacts and contact details
- **Contractual information**, e.g. start date, hours worked, role and scale/grade, salary, pension and benefits
- **Employment records**, e.g. employment and education history, qualifications, training records, work absence, performance and disciplinary records, professional organisation memberships (in order to process salary deductions for which you have given consent)
- **Information** derived from monitoring IT acceptable use standards
- **Recruitment information**, e.g. application, identity and right to work checks, copy of passport or similar photographic identification, references
- Publicly available information obtained from **online searches** on candidates shortlisted for interview
- **Payroll information**, e.g. bank account details, payroll records and tax status information.

3. Why we collect and use school workforce information

We collect and use your personal information for the following purposes:

- Carry out the contract we have with you, provide you with access to the services required for your role and manage our human resources processes
- Assess your performance, to conduct pay and grading reviews and to deal with any employer/employee related disputes. We also use it to meet the training and development needs required for your role
- Assess your compliance with school policies and procedures and to ensure the security of our premises, IT systems and employees
- Comply with our legal obligations and for equal opportunities monitoring. We also use it to ensure the health, safety and wellbeing of our employees
- Develop a comprehensive picture of our workforce and how it is deployed
- Inform the development of recruitment and retention policies.

4. Collecting school workforce information

We collect school workforce information in a variety of ways:

- Directly from individuals themselves * see below for additional information for candidates shortlisted for interview
- From referees, either external or internal
- From Occupational Health and other health providers
- From pension administrators and other government departments, e.g.tax details from HMRC
- From mandatory pre-employment vetting checks through our DBS provider and the Department for Education
- From a professional organisation
- From an employment agency or employer
- CCTV images taken using our own CCTV systems

*** Shortlisted candidates**
If you are shortlisted for interview we will ask you to complete a self-declaration of criminal record or other information that would make you unsuitable for work with children:
For example:

- if you have a criminal history
- if you are included on the children's barred list
- if you are prohibited from teaching
- if you are prohibited from taking part in the management of an independent school
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in your country of origin or where you were convicted

- if you are known to the police and children's local authority social care
- if you have been disqualified from providing childcare
- any relevant overseas information.

The purpose of this self-declaration is so that you have the opportunity to share relevant information and this can then be discussed and considered at interview, before a DBS certificate is received.

In addition, we will carry out online searches on shortlisted candidates so that we have the opportunity to explore any incidents or issues that are publicly available online, during the interview process.

Whilst the majority of information you provide to us is mandatory, some of it is requested 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 or if you have a choice on this.

5. Storing workforce information

Physical and electronic records are held for each member of staff. Information is held securely on our management information systems and on our school premises.

We hold school workforce information in line with our retention (this can be requested from the School Business Manager).

Automated decision making and profiling

We do not use your personal data to make any fully automated decisions (decisions made entirely by software or automated systems without human review) or to create automated profiles about you. Every decision affecting your application, recruitment, contract, placement, or ongoing work relationship with us is always made by our leadership team and staff members.

6. Who we share school workforce information with

We routinely share school workforce information with:

- Our Local Authority to support it in meeting its statutory duties
- The Department for Education, e.g statutory data collections (see Appendix One for information on how the DfE uses your information)
- Our Disclosure and Barring Service (DBS) checks provider
- The Teaching Regulation Agency
- The Teachers' Pension Service
- The Local Government Pension Scheme

- Our IT and payroll providers
- Educational software providers
- External auditors.

We do not share information about our school workforce with anyone without consent, unless the law and our policies allow us to do so..

When we share workforce information with third parties, we will always ensure that we share the minimum amount of information necessary for the purpose of the sharing. We will also require them to keep your personal information secure and to treat it in accordance with data protection law.

7. The lawful basis on which we use school workforce information

Our school, as a data controller, needs to comply with the UK's General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018. We are required to ensure we have a lawful basis under the GDPR for any processing we carry out on personal data.

Under Article 6 of the GDPR the lawful bases we rely on for processing school workforce information are:

- We need to comply with a **contractual obligation**, e.g. paying salaries
- We need to comply with a **legal obligation**, e.g. DfE data returns
- We need to meet our **public task** of running our school and keeping everyone safe
- We have a **legitimate interest**
- We have obtained **consent** to use personal information in a certain way
- We need to protect someone's life **(vital interests)** in an emergency.

Our lawful bases under the GDPR for the purposes listed in the section above are as follows:

a. Carry out the contract we have with you, provide you with access to the services required for your role and manage our human resources processes - **contractual obligation**
b. Assess your performance, to conduct pay and grading reviews and to deal with any employer/employee related disputes. We also use it to meet the training and development needs required for your role - **legal obligation, public task**
c. Assess your compliance with school policies and procedures and to ensure the security of our premises, IT systems and employees - **public task**
d. Comply with our legal obligations (such as the submission of the annual school workforce census) and for equal opportunities monitoring. We also

use it to ensure the health, safety and wellbeing of our employees - **legal obligation, public task**

e. Develop a comprehensive picture of our workforce and how it is deployed - **public task**
f. Inform the development of recruitment and retention policies and procedures, as well as our safer recruitment practice - **public task**

Some personal information requires extra protection because it is considered more sensitive. This includes race, ethnicity, religious beliefs, medical conditions, genetic information and biometric data.

Under Article 9 of the GDPR, if we are processing special category data, we will also rely on one of the following lawful conditions:

- To meet our **obligations as a data controller, or those of data subjects**, in connection with employment, social security and social protection
- For reasons of **substantial public interest**, keeping our workforce safe and ensuring **equality of opportunity/treatment**
- To establish, exercise or defend **legal claims**
- To protect someone's life (**vital interests**) in an emergency
- We have **explicit consent.**

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1 part 1, paragraphs 1, 8 and 18.

These relate to the processing of special category data for employment purposes, safeguarding and equality of opportunity/treatment. Our Appropriate Policy Document provides more information about this processing.

8. The lawful basis of consent

Whenever we rely on consent, it must be freely given, informed and clear. Consent can be withdrawn at any time by contacting the school lead (details on the first page).

9. Criminal convictions and offences

We process information about staff criminal convictions and offences under Article 10 of the GDPR because we are required by law to carry out enhanced DBS checks as part of our recruitment processes.

The GDPR Article 6 lawful bases we rely to process this data are:

- Performance of our **public task**
- Performance of a **contract**.

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1:

- Part 2, para 6(2)(a)
- Part 1, para 1.

These relate to the processing of criminal offence data for statutory and employment purposes respectively. See Part 3 of *Keeping Children Safe in Education* for more information.

Our Appropriate Policy Document provides more information about this processing.

10. Your Data Protection Rights

Under the GDPR you have the right to request access to the information about you that we process (a **subject access request)**. To make a request for your information please contact the school lead (details on the first page).

You also have the right to:

- Have your personal data corrected if it is inaccurate or incomplete
- Request the deletion or removal of personal data where there is no compelling reason for its continued processing
- Restrict the processing of your personal data (i.e. permitting its storage but no further processing)
- 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 upon you.

For more information on how we handle subject access requests, please see our Data Protection Policy
https://www.cottesloe.bucks.sch.uk/key-info/statutory-policies

11. How you can help us

As we have limited staff resources outside of term time, we encourage members of our school workforce to submit subject access requests during term time and not too close to the end of term. This will support us in responding as quickly as possible to your request, which we always want to do.

12. Any concerns

We take any concerns about our collection or use of personal information very seriously, so please contact us (details on first page) to raise any concerns in the first instance.

Alternatively, you also have the right to raise your concerns with the Information Commissioner's Office and you can find more information about how to do this here.

13. Appendix One - Department for Education

Information provided by the DFE

Data protection: privacy notice model documents - GOV.UK