

Privacy Notice for Staff – Earlsmead Primary School

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the General Data Protection Regulation (GDPR). It is based on the Department for Education's (DfE) model privacy notice for the school workforce, amended to reflect the way we use data in this school.

It applies to all current and former employees, workers and contractors.

We, Earlsmead Primary School, Arundel Drive, South Harrow, HA2 8PW are the 'Data Controller' for the purposes of data protection law.

Our appointed Data Controller within the school is Ms Monique Gregory.

Our Data Protection Officer is Judicium Consulting Limited, Lead Contact Jessica Casillas. (see 'Contact us' below).

The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, timesheets, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- DBS information to demonstrate compliance with Keeping Children Safe in Education (actual certificates are not retained).
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Accident reporting and records relating to accident/injury at work
- Copy of driving licence / insurance where authorised driver.
- Photographs
- CCTV footage

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Comply with employment law obligations
- Facilitate safe recruitment, as part of our statutory safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

Our legal basis for using this data

We process this information under the Employment Rights Act 1996, the Trade Union and Labour Relations (Consolidation) Act 1992, The Agency Workers Regulations 2010, the Employment Acts 2002 and 2008, the Employee Relations Act 1999, the Equality Act 2010, and all other relevant employment related legislation.

We may also process this information with consent where appropriate and to establish, exercise and defend legal claims

Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation including the submission of the School Workforce Census to the DfE.
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way, for example accessing staff benefits such as childcare vouchers
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file as this will allow us to give employment references unless advised by staff otherwise. In this instance we will delete the information in it in accordance with the Information and Records Management Society's Toolkit for Schools available on the School's website.

Who we share this information with

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

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Harrow Council - We are required to share information about our workforce members with our local authority under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- DfE - We are required to share information about our school employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Your family or representatives
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations including the School’s bankers to enable processing of payroll
- Our auditors - to meet the requirements of the Academies Financial Handbook and the Academies Accounts Direction
- Trade unions and association
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies
- Outside organisations and agencies where you have requested for data to be shared e.g. employment and housing references

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 DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 DfE 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 DfE’s data sharing process, please visit:

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

To contact the department please use the following link: <https://www.gov.uk/contact-dfe>

How to access personal information we hold about you

Under data protection legislation, you have the right to request access to information about you that we hold. If you would like to make a request, please contact our Data Protection Officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our appointed Data Protection Officer.

How to raise a concern

We hope that Ms Gregory can resolve any query you raise about our use of your information in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by Ms Gregory then you can contact the DPO, contact details are as follows:

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Lead Contact: Jessica Casillas

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.