



## Privacy Notice (How we use school workforce information)

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law

### Who are we?

Elms School collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer is SPS DPOaaS. The Data Lead within the school is Clare Eldridge

### The categories of school workforce information that we collect, process, hold and share include:

- Personal information e.g. name, date of birth, contact details employee or teacher number, national insurance number, next of kin details.
- Special categories of data including characteristics information e.g. gender, age, ethnic group, religion.
- Contract & payroll information e.g. start dates, hours worked, post, roles and salary information, bank information, court orders.
- Work absence information e.g. number of absences, reasons.
- Qualifications and records of training undertaken.
- Recruitment information e.g. references, DBS clearance, right to work in the UK, occupational health clearance, ID documentation e.g. passports.
- Lunch preferences, uniform sizes, car registration details and car business insurance details.
- Driving license checks. Business Insurance details where applicable.
- Medical information for emergencies.
- Occupational health reports, risk assessments.
- Accident Reporting
- Finance information e.g. Register of Business interests, Sample Signatures
- Photographic ID for badges, boards etc.

### Why we collect and use this information

We use school workforce data :

- To enable the development of a comprehensive picture of the workforce and how it is deployed
- To inform the development of recruitment and retention policies
- To enable individuals to be paid

- To support pension payments and calculations
- To ensure compliance with our legal and statutory responsibilities.
- To protect the vital interests of staff
- To enable sickness monitoring

## How long your personal data will be kept

We will hold your personal information in line with KCC's personnel retention record keeping guidelines.

## The lawful basis on which we process this information

We process this information under:

- **Article 6(1)(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.
- **Article 9(2)(b)** processing is necessary for the purpose 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.
- **Article 6(1)(d)** provides a lawful basis for processing where processing is necessary in order to protect the vital interests of the data subject or of another natural person.

## Collecting this information

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

## Storing this information

We hold school workforce data as required by statute and varies e.g. payroll information is current year plus six years

## Who we share this information with

We routinely share this information with:

- Our local authority
- The Department for Education (DfE)
- Our professional advisors e.g. schools personnel service & payroll provider
- Management Information System (SIMS)
- HMRC
- Training Providers

## Why we share school workforce information

We do not share information about 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 (DfE)**

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 educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Professional Advisors (SPS/Intepay)**

We share personal data to fulfil our human resource and payroll contract

### **Management Information System (SIMS)**

We use SIMS to hold the majority of this data.

## 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 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.

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>

## Your Rights

Under the GDPR you have rights which you can exercise free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you (Subject Access Requests)
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office
- Withdraw consent (if applicable)

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

## Further information

If you would like to exercise a right or discuss anything in this privacy notice, please contact:

Clare Eldridge who can be emailed at [clare.eldridge@elms.kent.sch.uk](mailto:clare.eldridge@elms.kent.sch.uk)

## **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.