



PRIVACY NOTICE

(Workforce Information)

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Distribution:	Website Staff Handbook
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Love learning, work together, **achieve and shine.**

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Company Number: 7700773



Privacy Notice (How we use 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.

The categories of school information that we process

These include:

- personal information (such as name, employee or teacher number, national insurance number, emergency contact details)
- 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

This list is not exhaustive. To access the current list of categories of information we process please request to see our data asset audit by contacting the school.

Why we collect and use workforce information

We use workforce data to:

- Enable individuals to be paid
- Support pension payments and calculations
- Enable sickness monitoring
- Enable leave payments (such as sick pay and maternity leave)
- Develop a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Inform financial audits of the school
- Fulfil our duty of care towards our staff
- Inform national workforce policy monitoring and development

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing workforce information are:

- **Article 6 (c) Legal obligation:** the processing is necessary for us to comply with the law; we are required to share information about our workforce members under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- **Article 6 (f) Legitimate interests:** we rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations,
- For some data processing where there is no legal obligation or legitimate interest for the school to collect and use the data, we will ask for your consent under **Article 6 (a) Consent:** the individual has given clear consent for us to process their personal data for a specific purpose

Some information we process will be Special Category data under Article 9 of GDPR. We will rely on the legal basis of **Article 9 (g)** processing is necessary for reasons of substantial public interest.

Collecting workforce information

We collect personal information via staff contract forms and annual data collection sheets.



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.

Storing workforce information

We hold workforce data securely for the set amount of time shown in our data retention schedule which is based on guidance from the Information and Records Management Service (IRMS) <https://irms.org.uk/page/SchoolsToolkit>

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 the Information Commissioner's Office of a suspected data security breach where we are legally required to do so.

Who we share workforce information with

We routinely share this information with:

- Somerset Local Authority
- the Department for Education (DfE)
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll and pensions.
- Our auditors – who verify that we use appropriate procedures and are compliant with all requirements.
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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.

Somerset Local Authority

We are required to share information about our workforce members with Somerset Local Authority under Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education

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 the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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 them that we hold. To make a request for your personal information, contact the school.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to 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 on you

If you have a concern or complaint 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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Louise Layzell, Data Protection Lead (LLayzell@educ.somerset.gov.uk)

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 4 March 2019.

Contact

If you would like to discuss anything in this privacy notice, please contact: Louise Layzell, Data Protection Lead (LLayzell@educ.somerset.gov.uk) or Amy Brittan, Data Protection Officer dposchools@somerset.gov.uk

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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the department: <https://www.gov.uk/contact-dfe>

