



General Data Protection Regulation

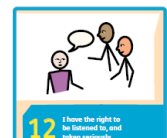
Privacy Notice for School Workforce

June 2023

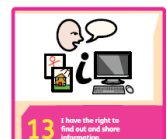
Article 4 – The Government should make sure my rights are respected



Article 12 – I have the right to be listened to, and taken seriously



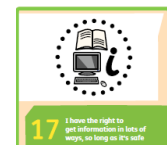
Article 13 – I have the right to find out and share information



Article 16 – I have the right to keep some things private



**Article 17 – I have the right to get information in lots of ways, so long as
as its safe**



Key Contact Personnel in School

**Nominated Member of Leadership Staff Responsible for the policy:
Sarah Costain**

Designated Safeguarding Lead: Sarah Costain

Data Protection Officer: Sarah Costain

Named Governor with lead responsibility: Jo Worby

Date written: June 2018

Date reviewed: May 2019

Date reviewed: June 2019

Date reviewed: June 2020

Date reviewed: June 2021

Date agreed and ratified by Governing Body: May 2021

Date Reviewed: June 2022

Date agreed and ratified by Governing Body: November 2022

Date reviewed: May 2023

Date agreed and ratified by the Governing Body: July 2023

Date of next review: June 2024

**This policy will be reviewed following any concerns and/or updates to
national and local guidance or procedures**

PRIVACY NOTICE for SCHOOL WORKFORCE

Five Acre Wood School

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.

Five Acre Wood School collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the United Kingdom General Data Protection Regulation and we are responsible as ‘controller’ of that personal information for the purposes of those laws. Our Data Protection Officer is Sarah Costain (Deputy Head).

The personal information we collect and use

In the course of employing staff in our school we collect the following personal information when you provide it to us:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract and payroll information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons) and medical information
- qualifications (and, where relevant, subjects taught)
- photographic records
- disciplinary records
- other relevant medical information

How we use your personal information

We use your personal information 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
- Support pension payments and calculations
- Enable sickness monitoring
- Enable leave payments (such as sick pay and maternity leave)
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring
- Comply with guidance such as ‘Working Together’ and safeguarding

obligations

- Inform financial audits of the school
- Fulfil our duty of care towards our staff
- Inform national workforce policy monitoring and development
- Support effective performance management
- Emergency contact details
- Cascade information during extreme conditions

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

How long your personal data will be kept?

We will hold your personal information for 6 years in line with KCC's personnel retention record keeping guidelines.

Reasons we can collect and use your personal information

We collect and use your personal information to comply with our statutory obligations, to carry out tasks in the public interest, and the processing is necessary as part of a contract as your employer.

If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

Collecting workforce information

We collect personal information in a number of ways, some of which may be via email, forms, data transfer.

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 UK 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.

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.

Who we share your personal information with

- Department for Education (DfE)
- Kent County Council Management Information [maintained schools only]
- Kent County Council Schools Financial Services
- The Education People (TEP) who are commissioned by KCC to provide Education services for KCC including most of the CFIS services
- Commissioned providers of personnel and payroll services [give details]
- [Add in academy chain/MAT and federation details here]

- Cabinet Office-National Fraud Initiative, for the purposes of assisting the prevention and detection of fraud under a legal obligation [maintained schools only]

We will share personal information with law enforcement or other authorities if required by applicable law.

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.

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 the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 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.

Your Rights

Under UK 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 UK GDPR.

If you would like to exercise a right, please contact Sarah Costain, Deputy Head.

Withdrawal of consent

Some information is collected under the lawful basis. Therefore, consent is NOT used.

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 Sarah Costain, Deputy Head.

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.

Who to Contact and Where to go for Further Information

Please contact Sarah Costain, Deputy Head to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

If you would like to get a copy of the information about you that KCC shares with the DfE or how they use your information, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk.

UK GDPR also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

For further information about how the Department for Education uses your information:

To find out more about the staff information we share with the DfE, for the purpose of data collections, go to <https://www.gov.uk/education/school-workforce-censuses>

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>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

The lawful basis on which we process this information

We process this information under the 2018 GDPR Articles:

- **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.

The Education Act 1996 (Departmental Censuses) – information can be found in the guide documents on the following website

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

How long your personal data will be kept

We will hold your personal information for 6 years in line with KCC's personnel retention record keeping guidelines.

Reasons we can collect and use your personal information

We rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

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.

Who we share this information with

We will not share information about you with third parties without your consent unless the law allows us to.

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- Kent County Council Management Information

- Disclosure and Barring
- Kent County Council Schools Financial Services
- Commissioned providers of personnel and payroll services, Baxters
- Third party learning providers
- LADO / Local Safeguarding Board
- School management information system e.g. EVOLVE, Evidence for Learning, Medical Tracker , MyConcern, Lessons Learned, Arbor etc (this list is not comprehensive)
- Third party providers e.g. residential centres
- Reference requests
- Partner institutions e.g. ITT provider
- Alliance schools

We will share personal information with law enforcement or other authorities if required by applicable law.

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

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 the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 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.

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.

If you would like to exercise a right, please contact

Peggy Murphy (Principal)

Five Acre Wood School,
Boughton Lane,
Maidstone,
Kent
ME15 9QF

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.

Who to Contact and Where to go for Further Information

Please contact Peggy Murphy (Principal) to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

If you would like to get a copy of the information about you that KCC shares with the DfE or how they use your information, please contact the Information Resilience and Transparency Team at data.protection@kent.gov.uk.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

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

Further information

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

Sarah Costain (DPO)
Five Acre Wood School,
Boughton Lane,
Maidstone,
Kent
ME15 9QF

Tel: 01622 743925