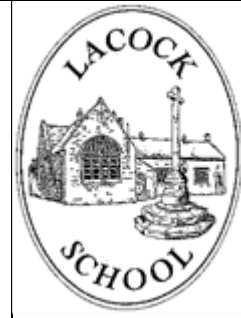


Privacy Notices

Privacy Notice for Workforce



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 personal data we hold on you

This includes:

- 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
- Photographs

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:

- maintain accurate and up-to-date employment records and contact details (including details of emergency contacts);
- enable individuals to be paid;
- support pension payments and calculations;
- run recruitment processes;
- operate and keep a record of disciplinary and grievance processes to ensure acceptable conduct in the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- obtain occupational health advice, to ensure that we meet obligations under health and safety law, and ensure that employees are fit to work;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;

- respond to and defend against legal claims;
- inform financial audits of the school;
- inform national workforce policy monitoring and development
- provide information to local government as required by law in the event of a public health emergency

Our legal basis for using this data

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

- Article 6 (1) (b) Contract: the processing is necessary because we have a contract with you and we need to process your personal information to comply with your contract.
- Article 6 (1) (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 (1) (e) Public Task: we may collect information from you where it is necessary to perform a task in the public interest e.g. taking temperature data on site and / or sharing staff data with the local authority in the event of a public health emergency.
- Article 6 (1) (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, contract or legitimate interest for the school to collect and use the data, we will ask for your consent under Article 6 (1) (a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose
- We may also share your information if we need to protect your vital interests (or someone else's interest) e.g. in a life or death situation we may share information with healthcare professionals

We may also collect and use information about your health. This is a special category of personal information, and we will only collect and use it when it is necessary for public health, e.g. protecting against serious threats to health. The legal basis here is Article 9(2)(i) of UK GDPR.

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your permission where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where we have got your consent to use your data, you may withdraw this at any time. We will make this clear when we ask for your consent and explain how to go about withdrawing consent.

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 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.

Storing workforce information

We hold workforce data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

We are aware of the legal hold placed on the destruction of staff personnel files by the Independent Inquiry Into Child Sexual Abuse (IICSA) and we are retaining staff personnel files until the publication of their final report and recommendations about file retention.

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

For the most part, personal data collected will remain within the school and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

We may routinely share information with:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- other employees, agents and contractors (e.g. third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- when the School is legally required to do so (by court order, government body, law enforcement agency or other authority of competent jurisdiction), for example, Somerset Local Authority, the DfE, HMRC, DBS, the police);
- we may share personal data with future employers as part of a reference
- we may share images of staff on promotional material, on our website, on social media and with other media outlets if we have your prior consent.
- All employees are reminded that the school is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns related to child safeguarding that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes within the employee and safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Safeguarding Policy.

All data shared with the DfE is transferred securely and held by the 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.

Your rights

Requesting access to your personal data

Under data protection legislation, our staff have the right to request access to information about themselves 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 the Local Authority processes your data, please ask the school's Data Protection Officer for a copy of the Data Sharing Agreement.

For further information on how to request access to personal information held centrally by the 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, finance@lacock.wilts.sch.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 30 September 2021.

Contact

If you would like to discuss anything in this privacy notice, please contact: Val Phillips, Data Protection Lead at finance@lacock.wilts.sch.uk or Amy Brittan, Data Protection Officer at dposchools@somerset.gov.uk

Reviewed by governors, March 2023, no changes made

Appendix:

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>

Our school needs to use data on pupils in order to be able to keep you safe and deliver the best education possible. Only essential data is held, and we always follow the law when we collect use, store and share your data.

You have a legal right to be informed about how our school uses any personal information that we hold about you. This privacy notice explains how we collect, store and use personal data about you.

We have updated this privacy notice with information about how we may share your data for 'test and trace' services to support public health.

We, (Lacock CofE Primary School), are the 'data controller' for the purposes of data protection law. Our Data Protection Officer (DPO) is Amy Brittan (see 'Contact us' below).

The personal data we hold on you

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes but is not limited to:

- Your contact details
- Assessments of your work
- Your attendance records
- Your characteristics, like your ethnic background or any special educational needs
- Any medical conditions you have
- Details of any behaviour issues or exclusions
- Photographs

The personal data we hold on your parents

We hold some personal information about your parents to make sure we can help you learn and look after you at school.

- Contact details
- We may also hold some information about your parents if you have a safeguarding folder

Why we use this data

We use this data to help run the school, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in all subjects and work out whether you or your teachers need any extra help
- Provide remote learning opportunities during periods of lockdown
- Track how well the school as a whole is performing
- Look after your wellbeing

Our legal basis for using this data

- We need to comply with the law (*Article 6(1)(c) of UK GDPR*)

- We need to use it to carry out a task in the public interest (in order to provide you with an education) (*Article 6(1)(e) of UK GDPR*)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way (*Article 6(1)(a) of UK GDPR*)
- We need to protect your interests (or someone else’s interest) e.g. in a life or death situation (*Article 6(1)(d) of UK GDPR*)

We may also collect and use information about your health or other protected characteristics such as your religion or ethnicity. These are special categories of personal information, and we will only collect and use it when it is necessary for public health, e.g. protecting against serious threats to health. The legal basis here is *Article 9(2)(i) of UK GDPR*.

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your permission where this is in the public interest. This is known as ‘Section 251’ approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

Collecting this information

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data. We will always tell you if it’s optional. If you must provide the data, we will explain what might happen if you don’t.

Data sharing

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

Who we share with	Why we share
Our local authority	To meet our legal duties to share certain information with it, such as concerns about pupils’ safety and exclusions
The Department for Education	We have to do this by law. This data sharing underpins school funding, educational policy and funding
Your family and representatives	To ensure that they know how you are doing and to protect your welfare

Other schools after you leave us	We will transfer your pupil record, which consists of basic information, assessment data, any educational support, and any safeguarding records. We may share some information in advance if it will enable your next school to provide effective and timely support
Police forces, courts, tribunals and security services	As we are required to by law
Educators and examining bodies	To ensure that you are entered for exams and your results are recorded
Health and social welfare organisations	Such as the school nurse and the Education Welfare Officer to help look after your health and wellbeing
Our payment service providers	So that you can pay for meals, trips resources and activities.
Providers of electronic learning resources	To allow you to use their resources in class and at home
Google Classroom	A suite of online tools that can be used by the school. The tools include a class 'blog', the ability for us to set tasks for learners and provide feedback. It has online software including Google versions of Word, PowerPoint and Excel.

International transfers of personal data

We have audited where we store all the personal data processed in school and by third party services. If a third party service stores data in the EU or US, we have ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the school.

How we store this data

We will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law. If you leave us mid-year, or move to a new setting, we will transfer your pupil record to your next setting.

Our record retention schedule/records management policy is based on the [Information and Records Management Society's toolkit for schools](#) and sets out how long we keep information about pupils.

National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department for Education (DfE)

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact the DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, the DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

Your rights

How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

How to find out what personal information the DfE hold about you

Under the terms of the Data Protection Act 2018, you are 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 DfE: <https://www.gov.uk/contact-dfe>

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and this harms you in some way.

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

Amy Brittan DPO Schools dposchools@somerset.gov.uk

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended to reflect the way we use data in this school.