



Workforce Privacy Notice

Allerton Grange School



Policy Statement

Schools, Academies, Alternative Provision, Student Referral Units, Local Authorities (LA), the Department for Education (DfE) and other educational bodies that process personal data about students and staff are required by the Data Protection Act (1998) to issue a notice to parents/students and staff to inform them of the purposes for which that personal data may be held and used.

Information that we hold in relation to individuals is known as their “personal data”. This will include data that is obtained from individuals directly and data obtained from other people and organisations. Allerton Grange School is a data controller for the purposes of the Data Protection Act. 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 explains how we collect, store and use personal data about individuals we employ, or otherwise engage, at our school. Allerton Grange School is the ‘data controller’ for the purposes of data protection law.

This privacy notice is applicable to the following workforce groups; workers (permanent, temporary, casual), governors and other volunteers.

Section 1: Processing data

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

- Personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, and emergency contact details)
- Characteristics information (such as gender, age)
- Contract information (such as start date, hours worked, post, roles and salary, 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 the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- Other information such as pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and photographs/images, data about your use of the school’s information and communications system)

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

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

Section 2: Where do we get information from about our workforce?

A lot of the information we have about our workforce comes from the individuals themselves. However, we may also obtain information from tax and regulatory authorities such as HMRC; previous employers; your trade union; the DBS; our insurance benefit administrators, consultants and other professionals we may engage; recruitment or vetting agencies; other members of staff, students or their parents; and publicly available resources including online sources. In addition, we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems; CCTV and access control systems; communications systems; remote access systems; email and instant messaging systems; intranet and internet facilities; telephones, voicemail and mobile phone records

Section 3: Why we collect and use workforce information

We use workforce data to:

- Administer employment contracts and enable individuals to be paid; to deduct tax and National Insurance contributions; liaise with pension providers and employee benefit schemes. Example of benefits include, but are not limited to, child care vouchers, bike to work, counselling and wellbeing services
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Facilitate safe recruitment, as part of our safeguarding obligations towards students. This will include checks to ensure individuals are legally entitled to work in the UK and to make a decision about recruitment
- Support effective performance management
- Allow better financial modelling and planning
- Enable equalities monitoring
- Support the work of the pay and conditions of service negotiating bodies
- Improve the management of workforce data across the sector
- Comply with the law regarding data sharing, for example, with specific employment law requirements, including our obligations, as an employer, under employment protection and health and safety legislation; and under statutory codes of practice such as those issued by ACAS.

Section 4: Why do we use special category personal data?

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational health/medicine in order to assess an individual's working capacity and/or the need for reasonable adjustments.
4. Where we otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests where you are unable to provide your consent.

Section 5: Failure to provide this information

If our workforce fails to provide information, then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

Our lawful basis for using this data

As outlined in section 1-4, we only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- 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
- We need to protect your vital interests (or someone else's interests)

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

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Section 6: Collecting workforce information

We collect personal information in the form of paper and electronic documents. Workforce data is essential for the school's and 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.

Section 7: Storing workforce information

We will hold information relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information. For further detail please see *Information and Records Management Society's toolkit for schools*.

Section 8: Who we share workforce information with

We routinely share this information with:

- Our local authority (where applicable)
- The Department for Education (DfE)
- Approved contractors/suppliers who have an obligation to abide by the key principles of GDPR and this privacy notice

We do not share information about you with any third party without your 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:

- Our local authority – to meet our legal obligations to share certain information, such as safeguarding concerns and information about headteacher performance and staff dismissals
- The Department for Education
- Your family or representatives
- Educators and examining bodies
- Our regulator e.g. Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

- Professional bodies
- Employment and recruitment agencies

Section 9: Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Section 10: Why we share school workforce information

We will routinely share information with services/organisations as outlined in section 8. We do not share information about our workforce members with anyone without consent, unless the law and our procedures allow us to do so.

Under the GDPR, the lawful bases we rely on for processing your information are as follows:

- 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. See appendix A for details of how the Department for Education and Government uses your data.
- Concerning any special category data (e.g. personal or biometric data) which will be processed only where we have obtained consent to use it in a certain way
- Need to protect the individual's vital interests (see conditions 2(a), (b), (g) & (h) of GDPR - Article 9)

Section 11: Requesting access to your personal data

Under data protection legislation, you have the right to request access to information we hold about you. To make a request for your personal information please see section 13 for contact details.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- A right to seek redress, either through the ICO, or through the courts

Section 12: How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer (see section 13)

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have

any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

Section 13: Contact / Data Protection Officer

If you would like to discuss anything in this privacy notice, please contact our school link: Patrick Fletcher.

To contact Patrick please email: agadmin@allertongrange.com and title your email '**Privacy notice FAO Patrick Fletcher**' or telephone the school on: 0113 3930304.

This notice is based on the Department for Education's model privacy notice for the school workforce, amended to reflect the way we use data in this school.

Appendix A

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections as follows:

- Sharing of information about our school employees with the Department for Education (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 the DfE under a combination of software and hardware controls which meet the current government security policy framework. For more information in this area please see 'How Government uses your data' section below.

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 the 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.

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