

# Maidensbridge Primary School

## Privacy Notice for Workforce



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, to work at our school.

We, Maidensbridge Primary School, Maidensbridge Road, Wall Heath are the 'data controller' for the purposes of data protection law.

Our data protection officer in school is Mrs K Thomas (Headteacher) we also have a Data protection officer at Dudley called Mr L Bourne.

### **The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work 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 and contact details, employee or teacher number, details of your bank, national insurance number, information about your marital status, next of kin, dependants and emergency contacts)
- special categories of data including characteristics information (such as gender, age, ethnic group)
- contract information (such as start dates, terms and conditions of your employment, hours worked, post, roles and salary information, information about entitlement to benefits such as pensions, information about your nationality and the entitlement to work in the UK)
- work absence information (such as number of absences and reasons)
- qualifications (such as skills, experience and employment history, where relevant, subjects taught)
- Information about your criminal record.
- details of any disciplinary or grievance procedures in which you have been involved (such as any warnings issued to you and related correspondence)
- assessments of your performance (such as appraisals, performance reviews and ratings, performance improvement plans and related correspondence)
- information about medical or health conditions (such as whether or not you have a disability for which the organisation needs to make reasonable adjustments)

### **Why we collect and use workforce information**

We use workforce data 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
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights.
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within 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.
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.
- 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 Maidensbridge 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
- maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

### **The lawful basis on which we process this information**

We process this information under the following UK General Data Protection Articles:

6.1(b) Processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

6.1(c) Processing is necessary for compliance with a legal obligation to which the controller is subject

For example: The Health and Safety at Work Act, Equality Act 2010, The Disability Discrimination Act.

6.1(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

For example: The Education Act requires the collection of workforce data for the purpose of Departmental Census. Working together to Safeguard Children Guidelines (DfE).

9.2 (b) Processing is necessary for the purposes 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.

## Collecting workforce information

We collect personal information via initial application form, staff contract forms, integris data collection sheet.

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 and we will tell you what you need to do if you do not want to share this information with us.

## Storing workforce information

Personal data is stored in line with our data protection policy & records management policy. This is stored electronically using StaffSafe.

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our record retention schedule & records management policy. Policies can be found on the school website [www.maidensbridge.net](http://www.maidensbridge.net)

## Who we share workforce information with

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:

We routinely share this information with:

- the Department for Education (DfE)
- Trade unions and associations
- Health authorities
- Our Local Authority to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about headteacher performance and staff dismissals
- 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
- 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

## 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.

### 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

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.

We are required to share 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 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 you that we hold. To make a request for your personal information, contact Mrs K Thomas, Headteacher.

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, in certain circumstances to have personal inaccurate data corrected, deleted or destroyed or restrict processing
- 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
- 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 it would cause, or is causing, damage or distress
- prevent your data being used to send direct marketing
- Claim compensation for damages caused by a breach of the data protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## 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 the Headteacher or if regarding the Headteacher the Chair of Governors

### Complaints

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

### 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 created in September 2021.

### Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs K Thomas, Headteacher Maidensbridge Primary School our data protection officer. Tel 01384 818405

### 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.

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

## Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact **Mrs K Thomas, Headteacher on 01384 818405**

### YourIG Data Protection Officer Service

**Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ**

**Email: [YourIGDPOService@dudley.gov.uk](mailto:YourIGDPOService@dudley.gov.uk) Tel: 01384 815607**

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
- claim compensation for damages caused by a breach of the Data Protection regulations
- 

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### Version Control

Version	Author	Date	Changes
0.1	Katie Thomas	September 2020	Minor changes
0.2	Katie Thomas	September 2021	No changes
0.3	Stephanie Starkey	September 2022	No changes
0.4	Stephanie Starkey	September 2023	No changes

Document Title:	Privacy Notice Workforce
Version Number:	0.4
Date Approved:	September 2022
Date of Next Review	September 2023