

ST AIDAN'S
Voluntary Controlled
PRIMARY SCHOOL

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Staff privacy notice

Introduction

Under the new General Data Protection Regulation (GDPR) we are obliged to inform you of the information we hold on you as our employee, what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If it, or any information linked to it, is unclear, please contact the school office, or the school's Data Protection Officer (DPO).

We, St Aidan's VC C of E Primary School, are the Data Controller for the purposes of data protection law. We have appointed Janice Cameron as our Data Protection Officer (DPO). She can be contacted by email: janice.cameron@london.anglican.org or by telephone: 020 7932 1161.

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1 Data held

The categories of staff information that we collect, hold and share include, but are not limited to:

- personal information – eg. name, contact details (address, telephone numbers, email addresses), National insurance number);
- characteristics – such as ethnicity, religion, language, nationality, country of birth;
- details of qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- the terms and conditions of employment;
- details of pay, including entitlement to benefits such as pensions and insurance cover;
- bank account details;
- marital status, next of kin, dependants and emergency contacts;
- information about your entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of (and reasons for) periods of leave, including holidays, sickness absence, family leave and sabbaticals;
- details of any disciplinary or grievance procedures in which you have been involved, including related correspondence and outcomes;
- performance assessments, including appraisals, performance reviews and ratings, training participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including any disability for which we need to make reasonable adjustments to fulfil our duty of care;
- trade union membership where provided by yourself or your trade union;
- equal opportunities monitoring information – eg. ethnic origin, sexual orientation, health and religion or belief (where this has been provided);
- photographs – for internal safeguarding & security purposes, school newsletters, media and promotional purposes;
- CCTV images.

1.1 We may also hold personal data about you from third parties, such as references supplied by former employers, information provided during the completion of our pre-employment checks and from the Disclosure and Barring Service, in order to comply with our legal obligations and statutory guidance.

2 Reasons for data collection

The purpose of collecting and processing this data is to help recruit staff and to run the school efficiently, including to:

- support effective management of the school workforce following our policies and procedures;
- inform our recruitment and retention policies;
- fulfil our legal obligations in recruiting staff;
- enable safe recruitment, as part of our safeguarding obligations;
- allow better financial modelling, administration and planning;
- enable correct pay and appropriate benefits;
- support effective performance management and appraisal;
- provide references where requested;
- enable equalities monitoring and reporting;
- respond to any staffing issues;



- support the work of the School Teachers' Review Body;
- assess the quality of our services;
- comply with the law regarding data sharing.

3 Lawful basis

Our lawful basis for collecting and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply.

- Data subject gives consent for one or more specific purposes.
- Processing is necessary for the purposes of the legitimate interests assumed by the controller or a third party following a legitimate interest assessment.
- Processing is necessary to protect the vital interests of the data subject.
- Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

3.1 Information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information, in which case the following sub-paragraphs in the GDPR apply.

- The data subject has given explicit consent.
- It is necessary to fulfil the obligations of the controller or data subject.
- It is necessary to protect the vital interests of the data subject.
- Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions).
- Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment.
- It is in the public interest.

3.2 Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of the data.

4 Collecting staff information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

4.1 Where we have obtained consent to use staff members' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how it can be withdrawn.

5 Storing your data

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. When your employment with us ends, we retain this file and records in line with the Information and Records Management Society's toolkit for schools.

5.1 We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed.



6 Who we share staff information with

We routinely share staff information with appropriate third parties, including:

- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information relating to certain staffing matters;
- the Department for Education (DfE) - to meet our legal obligations to share certain information with it;
- your family and representatives – eg. for contact in the event of an emergency;
- educators and examining bodies – eg. to ensure we adhere to examining regulations;
- Ofsted – eg. during the course of a school inspection;
- suppliers and service providers – to enable them to provide the service for which they have been contracted, eg. HR, payroll, employee benefit schemes;
- employment and recruitment agencies;
- financial organisations eg. Pension Scheme;
- HMRC and student loan companies;
- our auditors – to ensure compliance with our legal obligations;
- trade unions and professional associations – to enable them to provide the service their members require;
- health authorities and occupational health and employee support schemes – to ensure the wellbeing of our staff in accordance with our responsibilities as employer;
- security organisations – to create a safe workplace;
- professional advisers and consultants – to maintain high quality of public service provision;
- charities and voluntary organisations;
- police forces, courts, tribunals;
- future employers.

6.1 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.

7 Why we share your information

We are required to share information about our school employees with our local authority (LA) and the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations (2007) and amendments.

7.1 This data sharing underpins workforce policy monitoring and evaluation, links to school funding /expenditure and the assessment of educational attainment.

7.2 We do not share information about you with anyone without consent unless the law and our policies allow us to do so.

8 Data collection requirements:

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, by law, to make a census submission under sections 113 and 114 of the Education Act (2005).



- 8.1 To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to:
<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.
- 8.2 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.
- 8.3 The DfE 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;
 - the arrangements in place to securely store and handle the data.
- 8.4 To be granted access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.
- 8.5 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>
- 8.6 To contact the DfE: <https://www.gov.uk/contact-dfe>.

9 Your data protection rights

Under data protection legislation, staff members have the right to request access to information about them that we hold, through a Subject Access Request.

- 9.1 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 it, 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.
- 9.2 Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.
- 9.3 Subject access requests should be made, in the first instance, to the school administrator
- 9.4 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;
- claim compensation for damages caused by a breach of the Data Protection regulations.

10 Concerns and complaints

We take all concerns and 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.

10.1 To make a complaint, please contact our DPO. Alternatively, you can make a complaint to the Information Commissioner's Office:

- Online: <https://ico.org.uk/concerns/>.
- By telephone: 0303 123 1113.
- By post to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

11 Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our DPO, Janice Cameron, (E: janice.cameron@london.anglican.org ; T: 020 7932 1161) or Headteacher, Anne Etchells.

Helen Froggatt
On behalf of the St Aidan's Governing Body
May 2019