



St Mary's and St Peter's C of E School

School Workforce Privacy Notice

(How we use personal information)

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.

Who processes your information?

For the purposes of data protection law, St Mary's & St Peter's Primary School (SMSP) is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to staff members is to be processed.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that the school upholds are imposed on the processor.

As a public body, we have appointed Grow Partners Ltd as our Data Protection Officer (DPO). The responsible contact is David Coy (contactable on 07903 506531, david.coy@london.anglican.org).

What data do we collect?

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

- Personal Information, such as name, date of birth, national insurance number, next of kin, dependents, marital status;
- Contact details, such as telephone number, email address, postal address, for you and your emergency contacts;
- Protected characteristics, such as trade union membership, nationality, language, ethnic origin, sexual orientation, health and religion or belief (where this has been provided);
- Relevant medical information, such as physical or mental health conditions, including for any disabilities which the organisation needs to make any reasonable adjustments to fulfil its duty of care;
- Information about your remuneration, such as salary, annual leave, pension, bank details, payroll records, tax status and benefits information;
- Information about your criminal records;
- Recruitment information, such as copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process;

- Qualifications and employment records, such as work history, job titles, working hours, training records and professional memberships;
- Assessments of your performance, such as including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- Outcomes of any disciplinary and/or grievance procedures, including any warning issues to you and related correspondence;
- Details of periods of absence, such as holiday, sickness, family leave and sabbatical (including the reasons for the leave);
- Photographs, for internal safeguarding & security purposes, school newsletters, media, and promotional purposes;
- Closed Circuit Television (CCTV) footage;
- Data about your use of the school's information and communications system.

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 & Barring Service) in order to comply with our legal obligations and statutory guidance.

A full breakdown of the information we collect on the school workforce can be found in the record of data processing which can be requested from the school office.

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Why do we collect and use your information?

The purpose of collecting and processing this data is to help us recruit staff and run the school efficiently, including but not limited to:

- To run the school in an effective and efficient manner;
- Enable you to be paid and other benefits be provided;
- Facilitate safeguarding as part of our safeguarding obligations towards pupils;
- Fulfil our legal obligations in recruiting individuals to the school workforce;
- Support effective performance management and appraisal;
- Support effective management of the school workforce, along with the implementation of its policies and procedures;
- Provide feedback to your training centre and awarding body;
- Inform our recruitment and retention policies;
- Allow better financial modelling, administration and planning;
- Provide references, where requested;
- Equalities monitoring and reporting;
- Respond to any school workforce issues;
- Improve the management of workforce data across the sector;
- Support the work of the School Teachers' Review Body;
- To assess the quality of our services;
- To comply with the law regarding data sharing.

The lawful basis on which we use this information

We collect and process personal information under the following lawful basis:

- Fulfil a contract with you;
- Data subject gives consent for one or more specific purposes;
- Processing is necessary to comply with the legal obligations of the controller;
- 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);
- Processing is necessary for your legitimate interests or the legitimate interests of a third party;

When we process special category information, which is deemed to be more sensitive, the following lawful basis are used:

- The data subject has given explicit consent;
- Employment, social security and social protection;
- It is necessary to fulfil the obligations of controller or of 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);
- Reasons of public interest in the area of public health.

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

How is your data stored?

We collect, store and process data for each member of the school workforce. The information may be contained in a virtual and/or physical file, which is kept secure and only used for purposes directly relevant to your employment.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information is available via the school office.

The school does not store your personal data indefinitely. Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our retention policy. A copy of this policy can be obtained via the school office.

Who will you share my data with?

In order for us to legally, effectively and efficiently function we are required to share data with appropriate third parties, including but not limited to:

- our local authority, to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about head teacher performance and staff dismissals;
- the Department for Education, to meet our legal obligations to share certain information;
- educators and examining bodies, such as ensuring we adhere to examining regulations to guarantee the validity of examinations;

- training centres and awarding bodies, in order to provide information and feedback on your performance;
- your families and representatives, such as in the event of an emergency;
- financial organisations e.g. Pension Scheme, HMRC;
- Ofsted, during the course of a school inspection;
- suppliers and service providers, to enable them to provide the service we have contracted them for such as HR, payroll, IT;
- central and local government, such as for workforce analysis;
- our auditors, to ensure compliance with our legal obligations;
- health authorities (NHS), occupational health and employee support schemes, to ensure the wellbeing of our staff body;
- health and social welfare organisations;
- professional advisers and consultants, for us to develop our services and best provide our public service;
- trade Unions and Professional Associations, to enable them to provide the service their members require;
- charities and voluntary organisations;
- police forces, courts, tribunals and security organisations, to create a secure workplace for all staff;
- professional bodies;
- employment & recruitment agencies and future employers, to support reference requests.

We may send your information to other countries where:

- we or a company we work with store information on computer servers based overseas; or
- we communicate with you when you are overseas

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here:

http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index_en.htm

If the country that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then it might not have the same level of protection for personal information as there is the UK. However, we will always conduct appropriate due diligence when any of these circumstances occur to ensure there is no undue risk to your data

Why do we share information?

In order to successfully perform our key functions, we need to share personal data with organisations

For example, 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

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment. We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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 to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

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>.

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.

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

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

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

What are your 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.

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.

It should be noted that we cannot provide information where it may compromise the privacy of others.

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

In most cases, we will respond to subject access requests within 1 month, as required under data protection legislation. However, we are able to extend this period by up to 2 months for complex requests or exceptional circumstances.

We reserve the right to verify the requesters identification by asking for Photo ID, if this proves insufficient then further ID may be required.

You also have the right to:

- Withdraw your consent to processing at any time. This only relates to tasks which the school relies on consent to process the data.
- Ask us to rectify, erase or restrict processing of your personal data, or object to the processing of it in certain circumstances and where sufficient supporting evidence is supplied.
- Prevent the use of your personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest, official authority or legitimate interests.
- Request a copy of agreements under which your personal data is transferred outside of the European Economic Area.
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement) that might negatively affect you.
- Request a cease to any processing that is likely to cause damage or distress.
- Be notified of a data breach in certain circumstances.
- Submit a complaint to the ICO.

- Ask for your personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances).

If you would like to exercise any of the rights or requests listed above, please contact Allison Peach via info@smsp.richmond.sch.uk.

While the School will comply with Data Protection legislation in regard to dealing with all data requests submitted, in any format, we would prefer that any requests be submitted in a written form, to assist with comprehension.

Data Protection Breaches

If you suspect that yours or someone else's data has been subject to unauthorised or unlawful processing, accidental loss, destruction or damage, we ask that you please contact our Designated Data Lead: Ben Ioannou, via the school office and advise us without undue delay.

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, **David Coy** (contactable on david.coy@london.anglican.org, 07903 506531).

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

Where can you find out more information?

If you would like to find out more information about how we collect, use and store your personal data, please visit our website (www.smsp.richmond.sch.uk) to access our Data Protection, Data Security and Data Retention policies. Alternatively, contact our Data Protection Officer: David Coy (david.coy@london.anglican.org, 07903 506531).

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