



St Hugh's School

Privacy notice for school
workforce

1. Introduction

Under UK 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' 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, St Hugh's School, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer(s) are the School's Business Manager and Assistant Business Manager (see 'Contact us' below).

2. 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, date of birth, gender, marital status, gender, employee or teacher number, National Insurance number, contact details etc.)
- Next of kin and emergency contact details
- Salary, annual leave, pension and benefits information
- 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 an application form, CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving license, passport or other identification documentation
- Data about your use of the school's information and communications system

We may also collect, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Trade union membership
- Any health conditions you have that we need to be aware of and sickness records
- Photographs and CCTV images captured within school
- Trade Union Membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences. We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data

3. Why we use this data

We use school workforce data to:

- a) Enable individuals to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Support effective performance management
- d) Inform the development of our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body
- i) To report to the DFE
- j) to contact others known to you, where you have provided this information, in cases where it would be reasonable for us to contact that individual

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We only collect and use information about you when the law allows us to do so. 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)

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

- Article 6.1.b states that the use of personal data is justified if 'processing is necessary for the performance of a contract to which the data subject is party'. For instance, there is an employment contract which includes paying salaries.
- Article 6.1.c states that the use of personal data is justified if 'processing is necessary for compliance with a legal obligation to which the controller is subject'. For instance, we have a legal obligation to process some staff data to meet DfE and Local Authority requirements.
- Article 6.1.e states that the use of personal data is justified if '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'. In this instance, the requirement for the school to deliver education under the Education Act (1996) requires us to collect information to deliver this service.
- Article 9 covers the use of sensitive personal information (this includes health and social care information). This is justified either by article 9.2.a (consent from the data subject) or article 9.2.e (processing is necessary for the purpose 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 or management of health or social care systems and services).

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.

4.1 Our basis for using special category data

For 'special category' data we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defense of legal claims
- We need to process it for the reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this information

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.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data

We create and maintain an employment file for each staff member while you work at our school. The information contained is held on a secure database and in paper form in locked cabinets 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 Records Management Policy. Our Records Management Policy can be viewed on the school's website: www.st-hughs.n.lincs.sch.uk

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with

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

Where it is legally required or necessary (and it complies with UK data protection law) we may share personal information about you with:

- Our local authority - to meet our obligations to share certain information with it, such as safeguarding concerns
- The Department for Education (DfE)
- OFSTED
- Suppliers and service providers
- Our auditors
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations - to help keep our employees safe at work
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Pension providers
- Insurance Providers
- Training providers and consultants

Department for Education (DfE)

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.

Our 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.

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 the 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>

7.1 Transferring data internationally

Where we transfer your personal data to a third-party country or territory outside, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that 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 (subject to any exemptions that may apply):

- 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 us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under UK data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a breach
- Make a complaint to the Information Commissioners Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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(s).

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

10. 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(s)**:

- School Business Manager - 01724 842960, businessmanager.sthughs@northlincs.gov.uk, or
- Assistant Business Manager - 01724 842960, assistantbm.sthughs@northlincs.gov.uk .

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.