

# Privacy Notice (How we use workforce information)

## The categories of information that we process include:

- personal information (such as name, employee or teacher number, national insurance number, photographs, emergency contact details)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- Performance information
- Information regarding disciplinary or grievance issues

## In addition, we may process the following “special category information”:

- Relevant health or medical information (such as in respect of absences)
- Trade Union membership
- Race, ethnicity, or religious beliefs, sexual orientation

***[Schools need to add to the above lists any other categories of workforce information that they process.]***

This list is not exhaustive.

## Why we collect and use workforce information

We use workforce data to:

- a) enable individuals to be paid
- b) enable safe recruitment and compliance with associated responsibilities
- c) enable and support performance management
- d) inform the development of recruitment and retention policies
- e) enable the development of a comprehensive picture of the workforce and how it is deployed
- f) enable equalities monitoring and compliance with equalities duties

***[Schools may need to add to this list if they collect and use workforce information for any other reasons]***

## Our legal bases for processing workforce information:

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

- for the purposes of performance of a contract (e.g. contracts of employment, contracts for services etc)
- Where processing is necessary for compliance with legal obligations of the Governing Body (e.g. including but not limited to legal obligations under the Education Act 2002; Education Act 2005, the School Staffing Regulations 2009; the Employment Rights Act 1996, relevant tax law and other employment law obligations)
- Where processing is necessary for the performance of a task carried out in the public interest or exercise of official authority vested in the Governing Body (e.g. education functions associated with running a school).

**In addition, concerning any special category data:**

- Where processing is necessary for the purposes of carrying out obligations and exercising rights of the school or staff in the field of employment
- Where processing is necessary for reasons of substantial public interest (e.g. connected to the education functions associated with running a school)
- Where processing is necessary for the purposes of preventive or occupational medicine (e.g. where occupational health advice is sought)

## Consent

In some circumstances, we may ask you for explicit consent to enable us to process your data. However, this will normally only be where there is no other legal basis for us to process this information. Where we rely on consent, you may withdraw your consent at any time.

***[Schools to add any further, specific bases to the above lists]***

## Collecting workforce information

We collect personal information via [***explain method of data collection used, for example, staff contract forms, ESS etc***]

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.

## Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit [***Add link to school's retention schedule, data protection policy and any other relevant policies regarding use of data***]

## Who we share workforce information with

We routinely share some workforce information with:

- The local authority
- the Department for Education (DfE)

***[Schools to add to above if necessary]***

## 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) (No 2) (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, under:

***[For use by maintained schools only:]***

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.

***[For use by academies and free schools only:]***

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

***[For use by pupil referral units only:]***

We are required to pass information about our school employees to the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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>.

We occasionally share workforce information with suppliers (for example a payroll provider, professional HR advisers or occupational health providers) to enable the school to receive services that support our legal obligations to staff (e.g. to pay them) or for the purposes of fulfilling public tasks (e.g. running and staffing a school).

## 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 **[include details of data protection officer]**

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

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact: **[Insert name and contact details of data protection officer]**