

## **Privacy Notice for staff (How we use workforce information)**

Cumwhinton School is committed to protecting the rights and privacy of individuals in accordance with its legal obligations under the General Data Protection Regulations (GDPR). Cumwhinton School is registered with the Information Commissioner's Office as a Data Controller Registration Number : Z7535184

### **The categories of school information that we process include:**

- personal information (such as name, employee or teacher number, national insurance number and bank account details, pension information)
- special characteristics of data like medical information for emergency or occupational health reasons; criminal conviction or social care action information for legal and safeguarding reasons; and characteristics information such as gender, age, ethnic group etc
- 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)
- relevant medical or disability information (such as access arrangements, medication and occupational health reports)

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

We use workforce data to:

- a) ensure we can operate efficiently and effectively;
- b) enable individuals to be evaluated and developed in their career and be paid;
- c) allow for better financial modelling and planning;
- d) enable the development of a comprehensive picture of the workforce and how it is deployed, how it can be developed and how it can be kept safe;
- e) recruit appropriately and to inform the development of recruitment and retention policies;
- f) to keep the workforce safe (food allergies or emergency contact details)
- g) to meet the statutory duties placed upon us for DfE data collections

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

- 6(1)(b) to enter into or carry out a contract e.g. to employ people or buy services.
- 6(1)(c) to comply with the law e.g. pre-employment criminal record checks, recording sickness absence for benefits purposes, data sharing with child protection partners like social care, the NHS and the Local Authority etc.
- 6(1)(a) & having consent e.g. to use images and names in publicity.
- When we process sensitive personal data like medical information we rely on the lawful bases:
- 9(2)(a) having consent e.g. for referral to occupational health or other support services.
- 9(2)(h) for preventative or occupational medicine or to assess the work capacity of an employee;
- 9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;
- 9(2)(f) to defend a legal claim against us e.g. some special educational needs records and all accident records etc.

### **Collecting workforce information**

We collect personal information via application forms at the start of the contract of employment,

which is updated as advised/necessary/relevant.

Workforce data is essential for the school's/local authority's operational use. Whilst the majority of the information you provide to us is mandatory, some of it is provided to us 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 school workforce data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019).

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 [https://cdn.ymaws.com/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016\\_IRMS\\_Toolkit\\_for\\_Schools\\_v5\\_Master.pdf](https://cdn.ymaws.com/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016_IRMS_Toolkit_for_Schools_v5_Master.pdf)

## **Who we share workforce information with**

We routinely share this information with:

- our local authority Cumbria County Council (where applicable)
- the Department for Education (DfE)
- other schools or organisations following reference requests
- other public services that have a lawful right to collect workforce information
- payroll provider
- Occupational health and similar staff support services only with the consent of the individual
- Cumbria County Council, the NHS, District Councils (Environmental Health) and Public Health England in order to support COVID-19 testing, contact tracing and outbreak management.

## **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.

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring.

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. The law requires us to share information about our school workforce with the Department for Education (DfE) for the purpose of those data collections, 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 E Whittington, Data Manager, Cumwhinton School, School Road, Cumwhinton, Carlisle, Cumbria CA8 4DU. If we are unable to supply you with the required information you will be told why.

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/>

The Local Authority is the school's Data Protection Officer, Cumbria County Council, 117 Botchergate, Carlisle, CA1 1RD, telephone 01228 606060

## **Contact**

If you would like to discuss anything in this privacy notice, please contact the school office.

## 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>

Reviewed annually by school governors

Updated April 2021