Privacy Notice (How we use staff 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 staff.

We, TrustEd Schools Alliance (hereafter referred to as 'the school', which includes all schools within the TrustEd Schools Alliance Trust), are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Rob Montgomery.

The categories of school information that we process:

These include:

- Personal information (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group, next of kin, 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)
- Other information for Payroll and Human Resources
- Information from application process
- Information related to appraisal, performance management and school self-review
- CCTV footage from in and around the school site

Why we collect and use this information:

We use school workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid
- Enable school functions such as school self-review and appraisals
- Facilitate our duty of care
- Prevent crime and vandalism within school and increase the safety of our students, staff and school community

The lawful basis on which we process this information:

We confirm that we process personal data under the following regulations:

1. Article 6 of the General Data Protection Regulations

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(e) 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;

2. Article 9 of the General Data Protection Regulations

Processing shall be lawful only if and to the extent that at least one of the following applies:

(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

(c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;

(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;

3. The Education Act 1996 - (Departmental Censuses on behalf of the Department for Education)

We collect and use pupil information under the submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Commented [MR1]: Not relevant for staff?

4. Surveillance Camera Code of Practice (PoFA 2012)

The school complies with Information Commissioner's Office (ICO) CCTV Code of Practice to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.

Collecting this 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 data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information:

We hold staff data securely in compliance with GDPR to enable us to comply with the law and educate students. Records are retained as per the recommended practice laid out by the Information and Records Management Society (IRMS).

Who We Share This Information

With We routinely share this information with:

• our local authority

• the Department for Education (DfE)

• member schools and TrustEd Schools Alliance Trust

Occasionally this information can be shared with official organisations such as the Police or other legal bodies. In accordance with other trust policies – safeguarding, GDPR.

Why we share the school workforce information:

We do not share information about 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) (England) Regulations 2007 and amendments.

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.

We are required to share information about our pupils with the (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

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 the schools Data Protection Officer and the schools Head Teacher.

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

• claim compensation for damages caused by a breach of the Data Protection regulations

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/

Further information:

HEADTEACHER

BUSINESS MANAGER

Data Protection Officer
Rob Montgomery
Data Protection Officer / Audit & Governance Lead Manager
Telford & Wrekin Council
Email: IG@telford.gov.uk
Telephone: (01952) 382537