

# Privacy Notice (How we use school workforce information)

Emmbrook Junior School is the Data Controller for the use of personal data in this privacy notice. This document provides insight into how we use information about school staff including supply teachers, volunteers and job applicants. For job applicants and volunteers, information will only be collected and shared as relevant to their role.

## The categories of school workforce information that we collect, process, hold and share include:

- Personal information (such as name, DOB, employee or teacher number, national insurance number, contact details, payroll/banking details for paid staff, documentation to enable DBS checks)
- 'Special categories' of data including characteristics information such as gender, age, ethnic group, trade union membership (only where deductions are made directly from the payroll system)
- Contract information (such as start dates, 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 information
- Information relating to the use of remote communication and meeting tools
- Information relating to the performance of paid staff
- Declarations about suitability to work relating to the Childcare (Disqualification) Regulations
- Information relating to training completed by staff

## Why we collect and use this information

We use school workforce data to:

- Enable individuals to be paid and inform HMRC and pensions administrators
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Provide information for emergencies
- Ensure enforcement of the school's safeguarding guidelines

## The lawful basis on which we process this information

We process this information in order to comply with the Education Act 1996 and under the 2018 GDPR Articles below, as included in the Data Protection Act 2018.

- 6.1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 6.1(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  
(See Article 6: <https://gdpr-info.eu/art-6-gdpr/> )

In addition for 'special categories' of data:

- 9.2(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 9.1 may not be lifted by the data subject;

- 9.2(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.

(See Article 9: <https://gdpr-info.eu/art-9-gdpr/>)

## Collecting this information

Workforce data is essential for the local authority's operational use. 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 at the point of collection whether you are required to provide certain school workforce information to us or if you have a choice.

We collect personal information via:

- The application process via application forms
- The recruitment process via recruitment checks (i.e. references, DBS checks, medical checks)
- Periodical requests as and when required

## Storing this information

We hold school workforce data on local computer systems, as well as on paper in personnel files. There are strict controls on who can see your information.

We will hold data for as long as necessary in line with our data retention schedule, after which the information will be securely destroyed. For more information on our data retention schedule and how we keep your data safe, please visit <https://emmbrookjuniorschool.co.uk/>

## Who we share this information with

We routinely share this information with:

- our payroll provider
- our Local Authority
- the Department for Education (DfE)
- our occupational health provider

## Why we share 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 DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the

assessment of educational attainment.

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.

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

### **Payroll provider**

Your data will be held by our payroll provider to enable us to process payments to you.

## **Data collection requirements and how government uses your data**

The DfE collects and processes personal data relating to those employed by schools (including 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.

The workforce data that we lawfully share with the DfE through data collections:

- informs government policy on matters related to child and family social workers
- may be used to inform the distribution of funding to local authorities
- supports 'longer term' research and monitoring of children's social care policy

To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/guidance/school-workforce-census>

The DfE 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 DfE 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 DfE data sharing process, please visit:

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

If you want to see the personal data held about you by the Department, you should make a 'Subject Access Request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the DfE: <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, please contact the school using the details at the end of this document.

Depending on the lawful basis above, you may 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/>

If you would like more information about the information that Wokingham Local Authority holds about you, please contact: Data Protection Officer, Wokingham Borough Council, Shute End, Wokingham RG40 1WH. More information and an online form are available via this link: <http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/>

## **Updates to this privacy notice**

We may need to update this privacy notice periodically, but we will ensure that staff always have access to the latest version.

## **Further information**

If you would like to discuss anything in this privacy notice, please contact:

Claire Freeman, Data Protection Officer, Emmbrook Junior School, 0118 9784940

This version was last updated on 16<sup>th</sup> November 2021.