



# THE ECCLESBOURNE SCHOOL

Learning Together for the Future

## WORKFORCE PRIVACY NOTICE

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May 2023

This policy has been reviewed by the Student and Curriculum Governors Committee

This policy and is due to be updated May 2025

**This is a statutory policy**

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## 1 How we use workforce information

We process personal data relating to those we employ to work at, or otherwise engage to work, including volunteers, contractors and governors, at our school. This is for safeguarding purposes, employment purposes to assist in the running of the school and/or to enable individuals to be paid.

We must make sure that information we collect and use about staff is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collecting and processing information comes from a variety of sources, such as the Article 6 and Article 9 of the GDPR, the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

## 2 What type of data is collected?

Personal data that we may collect, use, store and share (when appropriate) about staff members includes, but is not limited to:

Area/Type	Examples
<b>Personal information</b>	Forename, surname, date of birth, marital status, gender, employee number, teacher number.
<b>Contact details</b>	Address, mobile and landline numbers, email address and those of your next of kin and/or emergency contacts.
<b>Contract Information</b>	Start date, hours worked, post, roles, salary, annual leave, pension and benefits information.
<b>Pay Particulars</b>	Bank account details, payroll records, National Insurance number and tax status information.

<b>Recruitment Information</b>	Copies of right to work in the UK documentation, references, interview notes, interview lesson observation forms and other information included in your application form and cover letter or as part of the application process.
<b>Qualifications and employment records</b>	Copies of all/any qualifications, where relevant information relating to subjects taught, work history, job titles, working hours, training records and professional memberships.
<b>Performance information</b>	Data and documents supporting the schools performance management system, including records of observations, analysis of class performance and records relating to induction.
<b>Disciplinary</b>	Outcomes of any disciplinary and/or grievance procedures.
<b>Absence and Attendance Data</b>	Records of attendance and reasons for absence, including records of signing in and out of school using electronic systems.
<b>Personal Documents</b>	Copy of Driving Licence, Passport, Utility Bill and any other documentation provided.
<b>Safeguarding Information</b>	Copies of all documentation provided to enable the school to request a Disclosure and Barring Service check. Copies of Disclosure and Barring Service certificates. Copies of the Disclosure and Barring Service Update Service consent form and status checks. Copies of all information received from the Teaching Regulation Agency.
<b>Medical Information</b>	Copies of declaration of health forms. Existing physical or mental conditions, allergies, medication administration records and medical events or illness occurring within school.
<b>Vehicle Information</b>	Make, model, colour and registration plate of staff vehicles.
<b>Photographs</b>	Individual, group or general photos.
<b>CCTV Footage</b>	CCTV footage and still images captured using the schools CCTV system.
<b>Biometric</b>	Patterns based on fingerprints (no image of the fingerprint is stored).
<b>Usage Data &amp; Logs</b>	Usage logs for Internet, Email and System Usage.

### 3 Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. 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
- Inform the development of recruitment and retention policies
- Enable the development of a comprehensive picture of the workforce and how it is deployed

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)
- We have legitimate interests in processing the data

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.

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 Collecting Staff information**

Whilst the majority of staff information you provide to us is mandatory and required for your employment, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

#### **5 Storing Staff information**

We keep personal information about staff while they are under employment by the school. We are also required to keep it beyond the term of employment if this is necessary in order to comply with our legal obligations. Our record retention schedule sets out how long we keep information about staff members.

A copy of our record retention schedule is available on our website (<http://www.ecclesbourne.derbyshire.sch.uk>) or via written request from the schools general office.

#### **6 Sharing Staff information**

We do not share information about staff members 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 data protection law) we may share personal information about staff members with:

<b>External Organisation</b>	<b>Reason for sharing</b>
<b>Local Education Authorities</b>	To meet our legal obligations to share information with them as part of the school educational offering.
<b>The Department for Education</b>	To meet our legal obligations to share information with them as part of School Workforce Census. 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. 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

	<p>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 <a href="https://www.gov.uk/education/data-collection-and-censuses-for-schools">https://www.gov.uk/education/data-collection-and-censuses-for-schools</a>.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• conducting research or analysis</li> <li>• producing statistics</li> <li>• providing information, advice or guidance</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>• who is requesting the data</li> <li>• the purpose for which it is required</li> <li>• the level and sensitivity of data requested; and</li> <li>• the arrangements in place to securely store and handle the data</li> </ul> <p>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.</p> <p>For more information about the department's data sharing process, please visit: <a href="https://www.gov.uk/data-protection-how-we-collect-and-share-research-data">https://www.gov.uk/data-protection-how-we-collect-and-share-research-data</a></p> <p>To contact the department: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a></p>
<b>Educators and examining bodies</b>	To perform an official task in the public interest. Examinations are a key function of the school. Data will be shared to facilitate the smooth running of the exams.
<b>OFSTED</b>	To meet our legal obligations as an educator we are obligated to share information with OFSTED. This will often be via the DfE and not directly from the school.
<b>Suppliers and service providers</b>	To enable them to provide the service we have contracted them for.
<b>Financial organisations</b>	To enable us to make payments to staff members.

<b>Central and local government</b>	To meet our legal obligations to share certain information with it.
<b>Our auditors</b>	To comply with ESFA financial regulations. Data is always limited in scope and shared for a specific purpose.
<b>Security organisations</b>	To perform an official task in the public interest or to protect your vital interests.
<b>Health and social welfare organisations</b>	To perform an official task in the public interest or to protect a staff members vital interests.
<b>Professional advisers and consultants</b>	Summary data may be shared with charities and voluntary organisations. No specific staff data will be shared without consent.
<b>Charities and voluntary organisations</b>	To perform an official task in the public interest or to protect a staff members vital interests.
<b>Police forces, courts, tribunals, legal advisors</b>	To perform an official task in the public interest or to protect your vital interests.
<b>Professional bodies</b>	Summary data may be shared with professional bodies. No specific staff data will be shared without consent.

## 7 Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## 8 Your rights

### 8.1 How to access personal information 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:

- 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 our data protection officer.

## **9 Your other rights regarding your data**

Under 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 if it would cause, or is causing, damage or distress
- 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
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### **Contact:**

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.

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

J. A. Walker Solicitor and Mediator,  
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Houghton on the Hill,  
Leicester,  
LE7 9HQ

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