

## Privacy Notice - The school workforce:

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 **individuals we employ, or otherwise engage, to work at our school.**

We, Burnley Brow Community School, are the 'data controller' for the purposes of data protection law.

Our data protection officer in school is Natasha Morgan, Deputy Headteacher. We also have support from a nominated data protection officer at Oldham Council, Barbara Mulvihill.

### The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details - name, address, telephone numbers
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Contract information - Salary, start dates, working hours, post, roles, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation (DBS date and number, List 99 clearance, Staff disqualification declaration, prohibition check), references and other information included in an application form, CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records, and professional memberships including teacher registration numbers.
- Performance information
- Internal training records (subjects covered, attendance details, qualifications gained)
- Outcomes of any disciplinary and/or grievance procedures
- Absence data and reasons
- Car registration, make of car and engine size (if submitting mileage claims)
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Register of personal / business interests
- Health, including any medical conditions, and sickness records

## Why we collect and use this data

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

- Enable you to be paid (including salary / mileage claims)
- 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
- Health and safety and security purposes

## 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

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.

## Collecting this information

While the majority of information we collect from you is mandatory, there may be some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we will make it clear if you have a choice.

## How we store this data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Information and Records Management Society's toolkit for schools. A copy of this can be found in the policy file.

## Data sharing

We do not share information about you with any third party without your 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 you with:

- **Our 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.
- **Our local authority (bought in professional services, for example finance and HR services)** – to enable us to fulfil our contract with you (to provide payment), to enable us to plan and monitor our financial resources and monitor and manage attendance.
- **The Department for Education** - 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.

## 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, this is called a 'subject access request'.

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.

To make a request for your personal information, contact our School Business Manager (Rachel Whiffin).

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**

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

School Data Protection Officer (Natasha Morgan – Deputy Headteacher) or School Business Manager (Rachel Whiffin).