

**Privacy Notice (How we use school workforce information)** This relates to all employees, volunteers, governors, Afterschool clubs and LA employees

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

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles, salary information and references)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- DBS information
- Right to work in UK

**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
- ensure procedures we have in place are adequate.

**The lawful basis on which we process this information**

We process this information under Article 6 sections (a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose. Eg use of photo's on staff board, internet and or information given to parents.

(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract. Eg. your contract of employment.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations) Eg. DfE School census.

We also process special category data under Article 9 (d) Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not – for – profit body with a political, philosophical, religious

or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to the persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside of that body without consent of the data subjects. Eg. Any medical/ first aid treatment carried out at school.

### 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

Please see table below for our retention periods:

Staff members' personal file	Termination of employment, plus six years
Timesheets	Current academic year, plus six years
Annual appraisal and assessment records	Current academic year, plus five years
<b>Recruitment</b>	
Records relating to the appointment of a new headteacher	Date of appointment, plus six years
Records relating to the appointment of new members of staff (unsuccessful candidates)	Date of appointment of successful candidate, plus six months
Records relating to the appointment of new members of staff (successful candidates)	Relevant information added to the member of staff's personal file and other information retained for six months
DBS certificates	Up to six months
Proof of identify as part of the enhanced DBS check	<u>After identity has been proven</u>

Evidence of right to work in the UK	Added to staff personal file or, if kept separately, termination of employment, plus no longer than two years
<b>Disciplinary and grievance procedures</b>	
Child protection allegations, including where the allegation is unproven	Added to staff personal file, and until the individual's normal retirement age, or 10 years from the date of the allegation – whichever is longer  If allegations are malicious, they are removed from personal files
Oral warnings	Date of warning, plus six months
Written warning – level 1	Date of warning, plus six months
Written warning – level 2	Date of warning, plus 12 months
Final warning	Date of warning, plus 18 months
Records relating to unproven incidents	Conclusion of the case, unless the incident is child protection related and is disposed of as <a href="#">above</a>

### Who we share this information with

We routinely share this information with:

- our local authority to
- the Department for Education (DfE)
- Capita HR

## 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 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.

### Capita HR

We share personal data with Capita HR to ensure salaries are paid into your account, we record any absences and sickness.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of information about 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 Emma Wilkinson or Lenka Jenks

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 our DPO:

Amanda Phillips via [a.phillips@londonacademy.com](mailto:a.phillips@londonacademy.com)