



Privacy Notice

How we use school workforce information

The categories of school information that we process include:

- personal information (such as name, employee and/or teacher number)
- special categories of data including characteristics information such as gender, age, ethnic group, next of kin)
- contract information (such as start date(s), hours worked, post(s), role(s), salary information and bank details)
- Legal obligation (such as National Insurance number and tax details)
- work absence information (such as number of absences and reasons, outcomes of disciplinary/grievance procedures)
- qualifications (and, where relevant, subjects taught)
- medical details (such as allergies and interventions required)

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
- Provide support to staff when required (e.g. medical emergencies)
- Maintain high standards of performance from the workforce

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

(6a) Consent: employees and others who work in the school have given clear consent for us to process their personal data for the purposes indicated above.

(6c) A Legal obligation: the processing is necessary for us to comply with the law.

(6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (e.g. we are required to have evidence that staff have DBS clearance)

(6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The lawful basis on which we process this information The lawful basis (article 6) and the processing of special categories of personal data (article 9) of the GDPR regulations is:

Special Categories of data are set out in Article 9 of the General data Protection Regulation.

Oakhurst Primary School will work within the conditions of GDPR - Article 9 of the GDPR:

(9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include staff dietary requirements, and health information we receive from our staff who require a reasonable adjustment to access our site and services.

(9.2b) 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.

(9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a member of staff in a medical emergency.

(9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.

(9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.

(9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the GDPR.

Collecting workforce information

We collect personal information via application forms, starter forms and staff contracts.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

We hold school workforce data securely for the length of employment, although certain information will be securely disposed of before this time. At the end of this time the data held will be securely disposed of.

Who we share this information with

We routinely share this information with:

- our payroll provider
- the Local Authority HR department
- The Department for Education (DfE)
- Pension Professionals
- Information may also be published to the school website (this will not include data of a sensitive nature)
- Swindon Borough Council – Covid-19 Vaccination Information*

Why we share school workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

- Swindon Borough Council – Covid-19 Vaccination Information

The government is rolling out a vaccination programme against Covid-19 based on priority groups. Swindon BC are planning ahead and keen to understand potential demand from school staff. Those meeting the criteria of supporting children directly who are clinically vulnerable to Covid due to underlying health conditions or other behaviours will be considered as part of health and social care staff and prioritised at this stage. Vaccinations are being prioritised in-line with national guidance therefore this list is so that advance preparations can be made.

This list is to capture all staff as part of forward planning. The school will indicate the roles e.g. teacher, support staff, admin in column . The school will indicate if a member of staff are CEV. The school will also indicate which staff are working with children who are providing personal care to children with aerosol generating procedures, managing PEG feeding tubes, delivering physio or staff regularly get spat at either due to behaviour needs or due to medical needs which results in saliva being shared (dribbling) when supporting that child at all times, class, personal care, eating etc.

The data being shared for the purposes of this are full names, DOB, employee number, job role, post code and gender.

We will obtain consent from staff to share Personal Information. We will also ensure that staff know that this information will be shared by the Council with NHS Vaccination Hub, GWH for the purpose of Covid-19 Vaccination only. Staff will also have to give further consent to the NHS for vaccination during the booking process. Data will be shared via a password protected workbook – this will be shared with the GWH too.

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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

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

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.

Suppliers and Service Providers

We are required to share certain information about our school workforce with suppliers and service providers (e.g. pensions information) to enable staff to undertake the legal responsibilities of their role.

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 Denise Barkham.

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
- 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/>

Contact

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

Denise Barkham, GDPR Administrator
Tel: 01793 734754
Email: admin@oakhurst.swindon.sch.uk
SchoolPro TLC Ltd – DPO
<http://schoolpro.uk>

How Government Uses Your Data

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

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data Collection Requirements

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>.

Sharing by the Department

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.

How to Find Out What Personal Information DfE Hold About You

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

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 department: <https://www.gov.uk/contact-dfe>