

## Workforce Privacy Notice

### Policy Statement



We are Newchurch Community Primary School. During an individual's time with us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after they have left the school. Anything that we do with an individual's personal data is known as "processing".

This document sets out what personal data we will hold about our workforce, why we process that data, who we share this information with, and the rights of individuals in relation to their personal data processed by us.

#### **What categories of information are processed?**

We will collect, hold, share or otherwise use the following information about our workforce:

- personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details)
- contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records)
- qualifications / training courses attended and, where relevant, subjects taught (such as training record)
- performance information and monitoring (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- other information (such as pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and images)

We will also use special categories of data including such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, political opinions, trade union membership, information about health, genetic information and biometric data. These types of personal data are subject to additional requirements.

## **How do we collect your information?**

We collect your personal information via the following methods:

- application forms
- Staff contract forms
- Medical information provided by the member of staff
- Annual data collection sheets

Workforce data is essential for the school's operational use. Whilst most information you provide to us is mandatory, some of it is requested on a voluntary basis. To comply with the UK 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.

## **Why do we collect and use your information?**

We will process the personal data of our workforce for the following reasons:

1. Where we are required by law, including:

- To comply with the law regarding data sharing (see further below)
- To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS
- To comply with legal requirements in relation to equalities and non-discrimination

2. Where we are required by any contract with our workforce, such as employment contracts, including:

- To make payments to our workforce, such as salary payments
- To deduct tax and National Insurance contributions
- To make a decision about recruitment
- To check individuals are legally entitled to work in the UK
- Administering employment contracts
- Conducting performance reviews
- Making decisions about salary and compensation
- Liaising with pension providers

3. Where the law otherwise allows us to process the personal data, or we are carrying out a task in the public interest, including:

- To enable the development of a comprehensive picture of the workforce and how it is deployed
- To inform the development of recruitment and retention policies
- To safeguard our pupils and other individuals
- To ensure safe working practices

- In the interests of ensuring equal opportunities and treatment

#### 4. Where we otherwise have the consent of the individual

Whilst the majority of processing of personal data of our workforce will not require consent, we will inform individuals if their consent is required and seek that consent before any processing takes place. Due to the imbalance of power in an employee to employer relationship, it is generally thought that although consent may be implied it cannot truly be freely given. So consent is not necessarily the most appropriate basis to rely upon as an employer.

### **Why do we use special category personal data?**

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational medicine in order to assess an individual's working capacity and/ or the need for reasonable adjustments.
4. Where we otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

### **Failure to provide this information**

If our workforce fails to provide information to us then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

### **How do we store your information?**

Your personal information is retained in line with the school's Records Management Policy, which can be found on gendata in the school office.

For more information about how we securely store your information, please see the school's Data and Cyber-security Breach Prevention and Management Plan, which can be found on gendata in the school office.

In order to reduce risk of a data breach, paper copies will be scanned following inclusion of data onto any data records.

### **How long will we hold information in relation to our workforce?**

We will hold information relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information. For further detail please see our Retention and Destruction Policy.

### **Who will we share information with about our workforce?**

We routinely share information about our workforce with:

- Local authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education, in compliance with legal obligations of the school to provide information about our workforce as part of statutory data collections
- Contractors, such as payroll providers, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP regarding tax payments and benefits
- Our professional advisors including legal and HR consultants

### **Why do we share your information?**

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

### **Sharing with the LA**

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

### **Sharing with the DfE**

The DfE collects personal data from educational settings and LAs via various statutory data collections.

We are required to share information about you with the DfE for the purpose of these data collections.

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

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework, which can be found by following the link below:

<https://www.gov.uk/government/publications/security-policy-framework>

### **How does the government use your data?**

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

- Informs the DfE's 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.

You can find more information about the data collection requirements placed on us by the DfE by following this link: <https://www.gov.uk/education/data-collection-and-censuses-for-schools> .

The DfE may share your information with third parties who promote the education or wellbeing 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 and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information.
- The purpose for which the information is required.
- The level and sensitivity of the information requested.
- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

## How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter> .

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe> .

## What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

If you want to request access to the personal information we hold about you, please contact Jayne Narraway (Headteacher and DPO) at Newchurch Community Primary School on 01925 763427 or [newchurch\\_primary\\_head@sch.warrington.gov.uk](mailto:newchurch_primary_head@sch.warrington.gov.uk)

If you are concerned about the way we are collecting or using your information, please raise your concern with the school's DPO in the first instance. You can also contact the ICO at <https://ico.org.uk/concerns> .

## How to withdraw consent and lodge complaints

Where our school processes your personal data with your consent, you have the right to withdraw your consent at any time.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting Jayne Narraway (Headteacher and DPO) at Newchurch Community Primary School on 01925 763427 or [newchurch\\_primary\\_head@sch.warrington.gov.uk](mailto:newchurch_primary_head@sch.warrington.gov.uk)

### **Updating this privacy notice**

We may need to update this privacy notice periodically if we change how we collect and process data. The school will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

This privacy notice was last updated on September 2024.

### **How can you find out more information?**

If you would like to discuss anything in this privacy notice, please contact Jayne Narraway (Headteacher and DPO) at Newchurch Community Primary School on 01925 763427 or [newchurch\\_primary\\_head@sch.warrington.gov.uk](mailto:newchurch_primary_head@sch.warrington.gov.uk)

If you require further information about how we and/or the DfE store and use your personal data, please visit our website, <https://newchurch-primary.eschools.co.uk/website>, the Gov.UK website (<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>) or access the Data Protection Policy and Records Retention Policy via the staff information shared drive.



## Declaration

I, \_\_\_\_\_, declare that I understand:

- The categories of my personal information Newchurch Community Primary School collects and uses.
- The school has a lawful basis for collecting and using my personal information.
- The school shares my information with the DfE, LA and other stated organisations.
- The school does not share information about me with anyone without my consent, unless the law and our policies allow the school to do so.
- My information is retained in line with the school's Records Management Policy.
- My rights to the processing of my personal information.

**Name of staff member:**

**Signature of staff member:**

**Date:**