

Milford School- School Workforce Privacy Notice

September 2021



The purpose of this privacy notice is to explain to you the data we collect about you as part of your employment relationship, or other work engagement, with the school.

Name of data controller: Milford School, Church Road, Milford. GU8 5JA Name of

our Responsible Person: Lorraine Breen, School Business Manager

Name of our data protection officer: Rachel Dunnage

What information do we collect about our workforce and how?

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

- personal information (such as name, contact details for you and your emergency contacts, employee or teacher number, bank account, national insurance number, evidence of your right to work)
- special categories of data (including information about your ethnic origin and health conditions)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work attendance and absence information (such as your work pattern history, number of absences and reasons)
- work performance and history (such as appraisal reports and correspondence, information about disciplinary or grievance matters, including any warnings issued to you)
- information from your application form and recruitment process, such as qualifications and employment history (and, where relevant, subjects taught)
- Data from our IT systems which records your use of the internet and work email account.
- Staff photos used on the school website and Twitter account.

We collect information from you both prior to and during your employment from a range of sources, including your application form, correspondence with you, forms you complete prior to and during employment, from interviews, appraisals and other meetings.

Why we collect and process this information

We process this information because the processing is necessary for us to enter into an employment (or other work-related) contract with you and for the subsequent performance of that contract, for example to ensure you are paid correctly and receive your entitlements to sick pay and annual leave. We also need to process this information to ensure that we are complying with our legal obligations, such as ensuring that you have the right to work in the UK, and to defend legal claims.

We process special category data, such as information about your ethnic origin or health, as part of our equal opportunities monitoring process and in order to meet legal obligations (such as obtaining advice from occupational health providers about health conditions to ensure compliance with employment and health and safety law). Where we process information for the purposes of equal opportunities monitoring, this information is collected only with the express consent of employees. Consent may be withdrawn by an employee at any time.

We use other school workforce data to manage the day-to-day operation of the school, where processing is necessary for the purposes of the legitimate interests of the employer. In relying on legitimate interests, we first consider the necessity of processing the data when balanced against the interests, rights and freedoms of the individual. These legitimate interests include:

- To manage recruitment processes and respond to reference requests
- To inform the development of recruitment and retention policies
- To keep records of employee performance and work history, including training and appraisal records, to ensure acceptable standards of conduct are maintained and to manage training and career progression
- To manage absence effectively
- To manage day-to-day HR administration
- To enable the development of a comprehensive picture of the workforce and how it is deployed

We do not make employment decisions based on automated decision-making.

If we wish to process your personal data for a new purpose we will inform you of any additional processing.

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

We hold school workforce data securely in your personnel file, in electronic records within our HR system and also in other IT systems, including email.

Your information is stored in accordance with a data retention schedule, the full version of which is available on request from Lorraine Breen, School Business Manager.

In summary we retain most records relating to your employment on your personnel file for six years after employment has ended.

Evidence of your right to work in the UK is retained on your personnel file for two years after employment has ended, in accordance with Home Office recommendations.

Allegations of a child protection nature remain on file until normal retirement age, or 10 years from the date of the allegation, if longer, in accordance with statutory guidance.

Identity documents obtained for the purposes of undertaking a Disclosure and Barring Service check are only retained until the results of the check have been received.

Who we share this information with and why

Your information will be shared with school staff with an HR or recruitment responsibility and managers within your area of work or department.

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

Beyond the school, we share your information when necessary with the local authority, in order to comply with legal obligations and statutory guidance regarding the safeguarding of children and young people.

We also 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 of educational attainment. See the section below on 'Department for Education data collection requirements' for further detail.

Other third parties

We will also share your data with certain third parties to fulfil legal requirements, obtain or provide necessary information or because the third party processes data on our behalf. These third parties include:

- Your previous employers in order to undertake pre-employment checks
- The Disclosure and Barring Service in order to undertake pre-employment checks and follow-up checks during employment
- Suppliers and consultants that provide us with a service, such as occupational health, HR or legal services
- Trade unions or any other representative acting on your behalf
- Ofsted

When we appoint third parties to process data on our behalf, the third party is also required to process the data lawfully and fairly and in a manner that ensures appropriate security of the data, using appropriate technical or organisational measures to protect against unauthorised or unlawful processing and accidental loss.

We do not transfer your data to countries outside the European Economic Area.

Department for Education 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 and your rights as a data subject

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 our data protection officer (details at the beginning of this document).

You also have the right to:

- object to processing where we are relying on legitimate interests as the legal basis for processing;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;and
- object to decisions being taken by automated means.

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 data protection officer(details at the beginning of this document).