

THE FAMILY OF LEARNING TRUST

Privacy Notice (How we use school workforce information)

Under data protection law, individuals have a right to be informed about how the trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'information 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 schools.

Any organisation who holds, processes and shares personal data is known as a data controller under the data protection laws. We, The Family of Learning Trust encompassing Beech Hill Primary School and Dean Field Community Primary School and the Local Authority are the Data Controller for the purposes of the Data Protection Act.

Personal data is held by the Trust, the schools and the Local Authority about those employed or otherwise engaged to work, either on a paid, contracted or voluntary basis at the schools or Local Authority.

This privacy notice sets out the following information:

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The personal data we hold:

- 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 and salary information)
- Financial Information (such as bank details, payroll information, pension information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- relevant medical information

- evidence of Right to Work information
- proof of identity
- next of kin information (such as name, relationship, contact numbers)
- accident at work information
- disciplinary information
- CPD information
- Performance information (such as appraisals)
- Photographs
- Disclosure and Barring Service information
- Reference information for recruitment
- Trade union information

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Why We Use this Data

The purpose of processing the data is to assist in the smooth running of the schools and to ensure the following:

- To enable staff to be paid
- To ensure the recruitment of suitably qualified staff in line with our safeguarding obligations towards pupils
- Improving the management of the workforce including effective performance management
- Improving the management of workforce data across the sector
- Enabling development of a comprehensive picture of the workforce and how it is deployed
- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling the monitoring of ethnicity and disability information
- Supporting the work of the School Teachers' Review Body
- To maintain our own accounts and records
- To support staff training
- To provide appropriate pastoral care
- To assess the quality of our services

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Our legal 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 your personal information 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.

The above is in compliance with the legal bases set out under Article 6 and the processing of special categories of personal data under Article 9 of the General Data Protection Regulations (GDPR). We also have obligations under the Education Act 1996 – this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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Collecting this personal data

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.

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How long 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.

We hold school workforce data securely for the time you are in our school and in compliance with the timescales set out on www.IRMS.org.uk/page/schoolstoolkit and the schools GDPR Data Protection Policy.

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, we will shred paper-based records, and override electronic files. We may also use an outside company to safely dispose of electronic records and paper records.

We keep information about you on computer systems and paper. There are strict controls on who can see your information.

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Data Sharing – who we share any personal data with and why

Who we share this information with

We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)

We also share some information:

- within the trust

We will not share information about you with third parties without your consent unless the law allows us to. Some examples of who we may share your data with include:

- Your family or representatives (e.g. details relating to an emergency)
- Educators and examining bodies
- Ofsted

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations
- Our auditors
- Survey and research organisations (we will seek your consent in advance of this)
- Trade unions and associations
- Health Authorities and Social Welfare organisations
- Police forces, courts, tribunals,
- Professional Bodies

If you require more information about how we and/or DfE store and use your personal data please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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.

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 the School Workforce) (England) Regulations 2007 and amendments.

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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>

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Other Rights - 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 the Data Protection Officer and Head Teacher in the first instance.

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 our Data Protection Officer in the first instance.

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Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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Data Protection Officer

If you have any questions, concerns or would like more information about anything mentioned please contact the data protection officer, Debbie Pettiford (dpo.justyourvoice@outlook.com) or 07711250786.

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This privacy notice is based on the Department for Education's model privacy notice for the school workforce, amended to reflect the way we use data in this trust.