



## **Privacy Notice – School Workforce**

Portchester Community School, on behalf of Hampshire LEA processes personal data relating to those we employ to work at, or otherwise engage to work at our school. This is for employment purposes to assist in the running of the school and to enable individuals to be paid. The collection of this information will benefit both national and local users.

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

- personal information (such as name, address, telephone numbers, employee or teacher number, national insurance number, payroll information)
- 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)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- contact information (such as telephone numbers of contacts that an employee would want the school to contact in an emergency)

### **Collecting 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.

### **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
- to make contact when not directly on the premises
- To contact others known to you, where you have provided their information, in cases where it would be reasonable/necessary to contact that person or persons

### **The lawful basis under which we process this information**

- **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.
- **Vital interests:** the processing is necessary to protect someone's life.
- **Processing is necessary for a legal obligation** to which the school is subject.
- **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.

## UK GDPR Article 6

6(1)(e) – The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

## UK GDPR Article 9

Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

Paragraph 1 shall not apply if the following applies:

9(2)(g) – Processing is necessary for reasons of substantial public interest

9(2)(j) - Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

## **Storage and retention of information**

The information is stored securely on School Information Management System (SIMS) and in locked filing cabinets.

This is currently retained for a period of 7 years from date of termination of employment as required by statute.

## **With whom we share this information**

This information is shared with:

- The Department for Education (DfE)
- Appropriate administration staff at Portchester Community School
- Hampshire LEA (HR/Payroll)
- NHS, where applicable

## **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.

## ***Department for Education (DfE)***

We share personal data with the DfE on a **statutory basis**. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding and expenditure.

## **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools 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).

Maintained schools are required to share information about or school employees with the DfE under Section 5 of the Education Regulations 2007 (Supply of Information about the School Workforce).

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.

### **Requesting access to your personal data**

Under data protection legislation, school workforce members have the right to request access to information about them that we hold. To make a request for your personal information, contact the school's **Data Protection Officer (DPO)**

School workforce members 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 school workforce data is collected or used, we ask that you raise your concern with the DPO in the first instance. If the need arises, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.