

# FULWELL JUNIOR SCHOOL

## Privacy Notice : 1<sup>st</sup> June 2019

### (How we use school workforce information)

The new data protection laws, GDPR, came into effect from 25<sup>th</sup> May 2018; as such, we need to provide you with details of the sort of personal information we hold about you as an employee.

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

- personal information (such as name, address, telephone numbers, next of kin details)
- personnel information (such as 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)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- medical information (where such information may impact on an individuals ability to fulfil their role)
- disciplinary information

### 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

### The lawful basis on which we process this information

We need to collect and use workforce information in order to comply with the relevant employment legislation for providing education to a child, including the Education Act 2006, the Education and Inspections Act 2006, the Employment Rights Act 1996, the Employment Act 2002 and Disability Discrimination Act 2005

Our lawful basis for processing is therefore that we have a statutory obligation as defined by Article 6(1)(c) of the General Data Protection Regulation (GDPR).

Some of the information we need to hold is classed as special category information –

primarily ethnicity, gender, health conditions and Trade Union membership. Our legal basis for processing this data is provided by Article 9(2)(b) of GDPR.

## 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. We will always inform you whether you are required to provide certain pupil information to us, or if you have a choice in this, and will respect your right to refuse to provide information.

## Storing this information

Full details of the Information and Records Management Society's guidelines for retaining school workforce information are available from the [IRMS Toolkit for Schools](#).

Full details of Sunderland City Council's retentions schedules for school workforce information are available from the [Retentions](#) section of Sunderland City Council's website.

All information is held securely with physical, organisational and electronic access controls to safeguard the information both at rest and when in transit.

## Who we share this information with

We routinely share this information with:

- our local authority, Sunderland City Council
- the Department for Education (DfE)
- third party organisations who handle personal information on the schools behalf (for example, communication providers such as Schoolcomms for the school text messaging service)

## Why we share school workforce information

We do not share information about workforce members with anyone without consent unless the law and our policies require or 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.

As a Maintained School, Fulwell Junior School is 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.

## 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

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, please contact the School Office 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 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 the Business Manager in the first instance.

The School's Data Protection officer can be contacted via any of the following methods:

[Data.Protection@sunderland.gov.uk](mailto:Data.Protection@sunderland.gov.uk),

0191 520 5555

or via Data Protection Officer, Governance Services, Civic Centre, PO Box 100, Sunderland SR2 7DN