

Privacy Notice for School Workforce

(to be used in conjunction with the
St Ralph Sherwin Multi Academy Trust Data Protection Policy)

Under Data Protection law, individuals have a right to be informed about how the St Ralph Sherwin Multi Academy Trust (or, 'the Trust') or its academies use any personal data that we hold about them.

This privacy notice explains how we collect, process and manage information for the school workforce. This includes employed members of staff, volunteers, trainee teachers, apprentices and work experience/workplace placements.

The Personal Data We Hold

The categories of school workforce information that we collect, process, hold and share include, but is not restricted to:

- Personal information (such as name, employee or teacher number or National Insurance number)
- Special categories of data, including characteristics information such as gender, age or ethnic group
- Contract information (such as start date, hours worked, post, role and salary information)
- Work absence information (such as number of absences and reasons)
- Data related to disciplinary actions
- Qualifications (and, where relevant, subjects taught)
- Medical information
- Other personal information
- References

Why We Use This Data

We use and share information to comply with statutory, regulatory, practice and contractual obligations. These may include, but are not limited to:

- Improving the management of workforce data across the sector
- Enabling development of a comprehensive picture of the workforce and how it is deployed
- Paying of salaries and pension contributions
- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring
- Supporting the work of the School Teachers' Review Body

- Comply with guidance such as 'Working Together' and safeguarding obligations
- Facilitating good governance
- Internal reviews and quality monitoring
- CPD and staffing issues

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

Our Lawful Basis for Using This Data

We must make sure that information we collect and use about the school workforce is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the GDPR. In addition, we have statutory obligations that are set out in 'Keeping Children Safe in Education' and other guidance and regulations. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

We also process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's legal framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009

The submission of the School Workforce Census return, including a set of individual staff records, is a statutory requirement on schools and Local Authorities by virtue of regulations SI2007/1264 made under Sections 113 and 114 of the Education Act 2005. This statutory requirement:

- means that schools may not need to obtain employees' consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

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.

No third parties will be contacted to obtain staff members' personal data without the data subject's consent.

How We Store This Data

Personal data relating to the school workforce is stored in line with the Trust's Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected. A full list of data retention periods is available in the Trust's Records Retention Schedule.

Data Sharing

Access to personnel files is carefully controlled, and they may only be seen by the Trust's Executive Leadership Team, Headteacher, School Business Manager or other persons, if authorised by the Trust's Data Protection Officer. All staff accessing data are bound by obligations of confidentiality.

Access to personal data held by individual departments will be limited in accordance with that department's operational needs.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places Data Protection requirements on third party processors to ensure data is processed in line staff members' privacy rights.

We may share this information with organisations such as:

- Our Local Authority
- The Department for Education (DfE)
- Those responsible for safeguarding and protection for children and vulnerable adults
- Payroll services
- Legal Advisers
- Insurance providers
- HMRC
- Teacher Pension Scheme and the Local Government Pension Scheme (and other pension providers)
- Health professionals

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 [for use by schools only]

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.

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 academies). 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 DfE, including the data that we share with them, please see [Data Collection and Censuses for Schools](#).

The DfE 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 DfE has in place robust processes to ensure that the confidentiality of personal data is maintained and that there are stringent controls in place regarding access to it and its use. Decisions on whether the 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
- 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 DfE's data sharing process, please see [Data Protection: How We Share Pupil and Workforce Data](#).

For information about contacting the DfE, visit: <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 that we hold about you. 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
- claim compensation for damages caused by a breach of the Data Protection regulations

Other Information

There is additional information about how we manage, store and protect data in the Data Protection Policy on the website. The policy includes details about how to contact the Information Commissioner or our Data Protection Officer if you have a query or concern about how data is being used or retained.

This Notice

The Trust may update this Privacy Notice from time to time. Any substantial changes which affect your rights will be provided to you directly as far as is reasonably practicable.