**Armathwaite School Privacy Notice for *staff, applicants for employment and volunteers***



**Privacy Notice *(How we use school workforce information)***

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing “privacy 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 who volunteer to work at our school.

We, Armathwaite School, are the “data controller” for the purposes of employment and volunteering.

Our data protection officer is Catherine Hunt (see “Contact us” below).

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

* personal information (such as name, date of birth, marital status, employee or teacher number and national insurance number)
* special categories of data including characteristics information such as gender, age, ethnic group
* next of kin and emergency contact numbers
* salary, annual leave, pension and benefits information
* bank account details, payroll records
* recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
* contract information (such as start dates, hours worked, post, roles )
* work absence information (such as number of absences and reasons) and relevant medical information
* qualifications and employment records, including work history, training records and professional memberships
* performance information
* outcomes of any disciplinary and/or grievance procedures
* previous address history
* photographic records
* CCTV footage
* data about your use of the school’s information and communications system

Why we collect and use this information

We use school workforce data to:

* Support your employment or volunteering
* Recruit the right people to work for us
* Enable the development of a comprehensive picture of the workforce and how it is deployed
* Inform the development of recruitment and retention policies
* Support effective performance management
* Allow better financial modelling and planning
* Enable ethnicity and disability monitoring

The lawful bases on which we process this information

Data protection law says that we must have a lawful basis for collecting and using ordinary personal data

Some types of personal data are considered to be more sensitive, and the law gives them extra protection. These are referred to as ‘special category personal data’ and we must have an additional lawful basis if we process these. The school monitors ethnicity and disability and as part of employment needs to be informed about your health.

The lawful bases that we rely on are:

For supporting your employment or volunteering and recruiting the right people to work for us

* The data subject has given consent to the processing
* The processing is necessary- for the performance of a contract to which the data subject is a party, or for the taking of steps at the request of the data subject with a view to entering into a contract
* The processing is necessary for compliance with any legal obligations to which the data controller is subject, other than an obligation imposed by contract
* Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law (special category personal data)
* Processing is necessary for the establishment, exercise or defence of legal claims or wherever courts are acting in their judicial capacity (special category personal data)
* Processing is necessary for the purpose of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services... (special category personal data)
* Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) (special category personal data)

Disclosure and Barring Service (DBS) checks are made as a condition of employment and volunteering. Processing information relating to these is made lawful by using the conditions stated in part 3 of the Data Protection Act 2018 (Law Enforcement Processing)

* Processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, and the data subject has given consent to the processing.

For enabling the development of a comprehensive picture of the workforce and how it is deployed, informing the development of recruitment and retention policies, supporting effective performance management and allowing better financial modelling and planning

* The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject

For enabling ethnicity and disability monitoring

* The data subject has given consent to the processing
* The data subject has given explicit consent to the processing of the personal data for one or more specified purposes (special category personal data)

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 inform you whether you are required to provide certain information to us or if you have a choice in this.

Where the school asks for and you give consent you can withdraw this consent at any time by informing the School Business Manager in writing.

How long do we keep personal data?

The school does not store personal data indefinitely, only for as long as is necessary to complete the task for which it was originally collected.

Information is held securely for the set amount of time shown in our data retention schedule. This is on our website and available on request.

Additional information can be found at

http://www.irms.org.uk/groups/public-sector/resources/134-records-management-toolkit-for-schools

Who we share information with

We sometimes share your personal data with trusted third parties. These are listed below.

When we share your personal data with these third parties who perform services for us, we require them to take appropriate steps to protect your personal information, and only to use the personal information for the purpose of performing those specific services.

|  |  |
| --- | --- |
| Name of company/organisation | The service they perform for us |
| Schools Advisory Service | Occupational health |
| Capita | Payroll |
| LGPS/Teachers Pension | Pensions |
| Schudio | IT/web site hosting |
| Focus Group | IT/web maintenance |
| Microsoft | Email |
| Focus Group | Telephone (land line) |
| N/A | Mobile |
| Tempest | School photographer |
| Shredstation | Confidential waste disposal |

Names and contact details of responsible people will also be given to providers of activities and trips etc.

We will never sell or distribute your personal information to any other third parties or make it public unless we have a legal obligation to do so.

We may be required to share personal information about you with:

* Our local authority
* The Department for Education (DfE)
* Educators and examining bodies Our regulator e.g. Ofsted
* Central and local government
* Police forces, courts, tribunals

This is not an exclusive list.

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.

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/datacollection-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

Your rights

Under data protection legislation, everyone has the right to request access to information about them that we hold. To make a request for your personal information contact the Data Protection Officer (Catherine Hunt).

Your other rights are:

* The right to be informed about the collection and use of your personal data. We do this by providing you with this privacy notice.
* The right to rectification. If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible at the above address and we will promptly record your request and amend our records if required.
* The right to erasure. This is also known as ‘the right to be forgotten’. You can make this request verbally or in writing. This right only applies in certain circumstances.
* The right to restrict processing. This right only applies in certain circumstances. If we agree to restrict your personal data for one or more purposes we will store it but not use it.
* The right to data portability. This allows you to obtain and re-use your personal data for your own purposes across different services. If you would like us to transfer your personal data electronically, we will do this. It only applies to information you have given us, which we hold electronically and where the School is the data controller.
* The right to object. You have the right to object to the processing of your personal data in certain circumstances where we rely on Public Task or Legitimate Interest for our lawful basis. You can make an objection verbally or in writing. You have the absolute right to stop your personal data being used for direct marketing.
* Rights in relation to automated decision making and profiling. The School does not use any of your personal data to make automated decisions or to create a profile of you.

How to make a complaint

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance and give us the opportunity to put things right if we have got it wrong. If you are unhappy with our response you can contact the Information Commissioner’s Office at https://ico.org.uk/concerns/ or by phone on 0303 123 1113

Contact us

If you would like to discuss anything in this privacy notice, please contact:

Catherine Hunt

Data Protection Officer,

Armathwaite School,

Email: gdprcharitysolutions@gmail.com