



# St Mary's CE Academy, Walkley

## GDPR Privacy Notice for the School Workforce

Schools are currently required to detail to staff how their personal data may be collected and used. This requirement will remain once the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018; however, schools will be required to revise their privacy notices to include further information on processing individuals' personal data. Schools can use this template privacy notice to ensure they are compliant with the GDPR and communicate how they process personal data relating to the school workforce.

### The school workforce

#### Who processes your information?

The school is the data controller of the personal information you provide to us. This means they determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. A representative of the school, **Karole Sargent (Executive Headteacher) or in her absence Karen Miller (Head of School)** can be contacted on **0114 234 4461** or [headteacher@st-marys.sheffield.sch.uk](mailto:headteacher@st-marys.sheffield.sch.uk) or [karenmiller@st-marys.sheffield.sch.uk](mailto:karenmiller@st-marys.sheffield.sch.uk) .

**Clare Sturman** is the data protection officer for DSAT. Her role is to oversee and monitor the school's data processing practices. This individual can be contacted on **01709 718 640** or [csturman@dsat.education](mailto:csturman@dsat.education)

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 with staff members' privacy rights.

#### Why do we need your information?

St Mary's has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the school, or those otherwise contracted to work at the school.

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid.

#### The lawful basis for processing this information is under Article 6 of the GDPR:

- Public Task – the processing is necessary for the school to perform a task in the public interest or for the official functions, and the task or function has a clear basis in law.
- Consent – the employee has given clear consent for the school to process the pupil's personal data for specific purposes.

- Legal Obligation – processing personal data that is necessary for the legitimate interests of the school or those of a third party.

#### **Where special categories of data are collected under Article 9 of the GDPR:**

- The data subject has been given specific consent to the processing of their personal data for one or more specified purposes.
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right of data protection and provide for suitable and specific measures to safeguard the fundamental rights in the interests of the data subject.

We 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

If staff members fail to provide their personal data, there may be significant consequences. This could include appropriate disciplinary actions, including verbal and written warnings.

#### **For which purposes are your personal data processed?**

In accordance with the above, staff members' personal data is used for the following reasons:

- Contractual requirements
- Employment checks, e.g. right to work in the UK
- Salary requirements
- Health & Safety at work

#### **Which data is collected?**

The personal data the school will collect from the school workforce includes the following:

- Names
- National insurance numbers
- Characteristics such as ethnic group
- Employment contracts
- Remuneration details
- Qualifications
- Absence information
- Next of Kin and associated contact number
- Medical Requirements

We collect personal information via our recruitment process.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

### **How long is your data stored for?**

Personal data relating to staff at St Mary's is stored in line with the school's **DSAT Trust Retention Schedule**.

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.

### **Will your personal data be sought from third parties?**

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)
- The Diocese of Sheffield Academies Trust

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.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) for the purpose of those data collections, under:

We are required to share information about our school employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see the 'How Government uses your data' section.

### **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 **Clare Sturman, DPO**.

Depending on the lawful basis above, you may 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 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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

### **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the **data controller**.

### **How can you find out more information?**

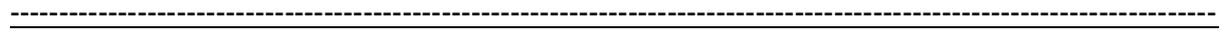
If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website: <https://www.st-marys.sheffield.sch.uk/policies-and-documents> , our shared drive of documents or please see 'How Government uses your data' section.

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **25/01/21**.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: **Clare Sturman, Data Protection Officer on 01709 718 640 or [csturman@dsat.education](mailto:csturman@dsat.education)**



**Declaration**

I,....., declare that I understand:

- St Mary’s has a legal and legitimate interest to collect and process my personal data in order to meet statutory and contractual requirements.
- There may be significant consequences if I fail to provide the personal data
- St Mary’s may share my data with the DfE, and subsequently the LA.
- St Mary’s will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- The nature and personal categories of this data, and where the personal data originates from, where my data is obtained from third parties.
- My data is retained in line with DSAT Trust Retention Schedule.
- My rights to the processing of my personal data.

**Name of staff member:** \_\_\_\_\_

**Signature of staff member:** \_\_\_\_\_

**Date:** \_\_\_\_\_