



## **Privacy Notice for Individuals Working at Sir Thomas Rich's School with remuneration (claim only/fixed term/permanent) (How we use staff information)**

### **Introduction**

Under data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **staff in our school**.

Sir Thomas Rich's School is the data controller of the personal information you provide to us. This means the School determines the purposes for which, and the manner in which, any personal data relating to staff is to be processed.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the School to share your data. Where the School outsources data to a third party processor, the same data protection standards that Sir Thomas Rich's School upholds are imposed on the processor.

Sir Thomas Rich's School's Data Protection Officer is Gloucestershire County Council. Their role is to oversee and monitor the School's data protection procedures, and to ensure they are compliant with the GDPR. Their contact details are: 01452 583619 or [schoolsdpo@gloucestershire.gov.uk](mailto:schoolsdpo@gloucestershire.gov.uk)

### **The categories of personal information that we collect, hold and share include:**

- Personal information (such as name, address, dob, employee or teacher number, national insurance number)
- Special categories of more sensitive personal data including characteristics information such as gender, age, ethnic group, health
- Emergency contact details
- Contract information (such as start dates, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Evidence of qualifications (and, where relevant, subjects taught)
- References

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

## Why do we collect and use your information?

- a. Establish and maintain effective Human Resources
- b. Meet statutory obligations for publishing and sharing employees'/workers' details
- c. facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- d. Undertake equalities monitoring
- e. Ensure that appropriate access arrangements can be provided for staff who require them

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you. You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

We do not currently process any personal information through any automated decision making or profiling process. If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## The lawful basis on which we use this information

Under Data Protection Legislation Sir Thomas Rich's is a Data Controller and holds the legal right to collect and use personal data, and we may also receive information from previous schools, LA and/or the DfE.

For most of the personal data we collect and use, we do so in order to meet the requirements the School is subject to in **performing a task in the public interest**. This applies to items **a** to **e** in the list above. The legal basis for this is set out in the GDPR and UK law, including those in relation to the following: Article 6 and Article 9 of the GDPR; Education Act 1996; Keeping Children Safe in Education (2016); Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013; The School Admissions Code.

## Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health, public health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

### **Collecting this data**

Whilst the majority of personnel information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain personal information to us or if you have a choice in this.

### **Storing data**

Personal data is held securely by the School. We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We will dispose of your personal data securely when we no longer need it.

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

In accordance with the GDPR, Sir Thomas Rich's 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, see list below:-

<b>Record Series</b>	<b>Trigger Point</b>	<b>Minimum Retention period at school</b>	<b>Basis for keeping records</b>	<b>Action</b>
Accident/injury at work records	Date of incident	4 years	Limitation Act 1980, Section 11	Review
Minutes of staff meetings	End of academic year	6 years	Limitation Act 1980, Section 2	Archive
Personnel Files	End of employment	7 years	Limitation Act 1980, Section 2	Destroy
Applications for employment	Day of interview	6 months		Destroy

For an overview of data retention please consult our Retention Schedule.

## **Who we share data with**

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- our local authority (Gloucestershire) – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about suspensions
- Government departments or agencies
- Ofsted
- Our auditors
- Health authorities
- Police forces, courts, tribunals

## **Data Collection Requirements**

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

The DfE collects and processes personal data relating to those employed by all state funded schools via a local authority. 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, 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**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you. If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

To make a request for your personal information contact The Headmaster, Sir Thomas Rich' School, telephone 01452 338400 or the Data protection officer (details at the end of this notice). 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/>



## **Privacy Notice for Individuals Working with Sir Thomas Rich's School with remuneration (How we use staff information)**

### **Declaration**

I, \_\_\_\_\_, declare that I understand:

- Sir Thomas Rich's School has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- Sir Thomas Rich's School may share my data with our local authority (Gloucestershire); Government departments or agencies; Ofsted; Our auditors; Health authorities; Police forces, courts, tribunals, if legally required
- Sir Thomas Rich's School will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- Sir Thomas Rich's School will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's GDPR Data Protection Policy and Records Retention schedule
- My rights to the processing of my personal data
- Where I can find out more information about the processing of my personal data

Signed: .....

Date: .....

Print name: .....