



## Privacy Notice – School Workforce

DATE: 8 February 2021

## **Introduction**

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

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

- personal information (such as name, 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
- other personal information
- references

### **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
- pay 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.

### **The lawful basis on which we collect and process this information**

We must make sure that information we collect and use about pupils 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 collecting and processing information comes from a variety of sources, such as the Article 6 and Article 9 of the GDPR, the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

### **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.

### **Storing this information**

We hold school workforce data for in accordance with our HR and Retention Policy. This can be found on the Oak Multi-Academy Trust website.

### **Who we share this information with**

We may share this information with organisations such as:

- our local authority
- the Department for Education (DfE)
- 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
- Constituent Academies within the MAT

### **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**

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 pupils with the (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 see the Subject Access Request information that is on the website

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

More details about how we use and manage data can be found in the 'Data Processing Notices – Common Principles and Processes', the Data protection Policy and other relevant policies for the School Workforce on the website.

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### **Non-Compliance Protocol**

It is important that volunteers are aware that any non-compliance should be brought to the attention of the School Business Manager, the Data Protection Compliance Manager and the Data Protection Officer to enable an action plan to be developed and implemented. This record will also serve as a useful mechanism to identify trends, risks, and potential breach hazards. Having an agreed timescale for review and identifying training needs that may be applicable to an individual or group of people will assist future compliance.

A copy of the Data Protection Policy and Breach and Non-Compliance Policy used across the Trust can be found on the [OAK Trust website](#).

Data Protection Compliance Manager: Dr Danielle Benyon-Payne [dbenyon-payne@oaktrust.org](mailto:dbenyon-payne@oaktrust.org)

Data Protection Officer: Mr John Walker [john@jawalker.co.uk](mailto:john@jawalker.co.uk)