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Head Teacher Claire Bellis-Knox

PRIVACY NOTICE **How we use school workforce information**

We, The Federation of St Sebastian's and St Cuthbert's Primary Schools, are a Data Controller for the purposes of the 2018 General Data Protection Regulations (GDPR) and previously the Data Protection Act of 1998.

Personal data is held by the school for those employed or otherwise engaged to work at the school or at the Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid.

Why we collect and use this information

We use school workforce data to:

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

The lawful basis on which we process this information

We process and use this information under Articles 6 and 9 of the GDPR (General Data Protection Regulations):

- Article 6.1c - Processing is necessary for compliance with a legal obligation to which the controller is subject
- Article 6.1e - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- 9.2b - Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject

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 GDPR, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

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, DOB, addresses, relevant medical information)
- 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)
- Pay and payroll information

Who we share this information with

We routinely share this information with:

- our local authority – Liverpool City Council
- the Department for Education (DfE)

Why we share school workforce information

Local authority – Liverpool City Council

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 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, contact the Headteacher or School Business Manager.

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/>

Storing this information

We hold school workforce data from termination plus 7 years.

Further information

If you would like to discuss anything in this privacy notice, please contact the Headteacher or School Business Manager.

Covid-19 High Risk Groups Privacy Notice

This privacy notice is to make it easier to understand and provide you with more information about how **The Federation of St Cuthbert's and St Sebastian's** may seek to collect and hold information about you in relation to the unprecedented challenges we are

all facing during the Coronavirus pandemic (COVID-19).

At this time, **The Federation of St Cuthbert's and St Sebastian's** may seek to collect and process your personal data in response to the recent outbreak of Coronavirus, which is above and beyond what would ordinarily be collected in order to ensure your safety and well-being.

Such information will be limited to what is proportionate and necessary, taking into account the latest guidance issued by the Government and health professionals, in order to manage and contain the virus.

It will enable the **The Federation of St Cuthbert's and St Sebastian's** to effectively fulfil our functions to keep people safe, put contingency plans into place to safeguard those vulnerable and aid business continuity.

What personal data is being collected?

In order to best respond and help coordinate the community response for COVID 19 it is necessary to collect:

- ✓ Basic details about you including name, address, telephone number and email address.
- ✓ We will also need to collect details about your health to identify if you (or those closely linked to you) are in any of the high-risk categories and would be considered vulnerable, if infected with Coronavirus.

Who is processing your data?

All personal data held, is processed in accordance with the Data Protection Act 2018 and General Data Protection Regulation. The Data Controller for the information outlined in this privacy notice is **The Federation of St Cuthbert's and St Sebastian's** .

How we will use the information we hold about you?

We will use the information you provide to:

- ✓ Connect you to support in the community as part of the COVID-19 response.
- ✓ To analyse your information in order to improve the services we offer.

What is your lawful basis for processing your personal data?

The legal basis for processing the data is that it is in the public interest for us to deal with the outbreak of Covid-19.

The General Data Protection Regulation requires specific conditions to be met to ensure that the processing of personal data is lawful. These relevant conditions are below:

- ✓ Article 6(1)(d) – is necessary in order to protect the vital interests of the data subject or another natural person.
- ✓ Recital 46 adds that “some processing may serve both important grounds of public interest and the vital interests of the data subject as for instance when processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread”.
- ✓ Article 6(1)(e) – is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

- ✓ Section 8(c) of the Data Protection Act sets out that such a task must be necessary for the performance of a function conferred on a person by an enactment or rule of law.
- ✓ The processing of special categories of personal data, which includes data concerning a person's health, are prohibited unless specific further conditions can be met. These further relevant conditions are below:
- ✓ Article 9(2)(i) – is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health.
- ✓ Schedule 1, Part 1(1) – is necessary for the performance or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, e.g. Health and Safety at Work Act 1974.
- ✓ Schedule 1, Part 1(3) – is necessary for reasons of public interest in the area of public health, and is carried out by or under the responsibility of a health professional, or by another person who in the circumstances owes a duty of confidentiality under an enactment or rule of law, e.g. Governmental guidance published by Public Health England

Who we will share your information with?

We will normally only share your information with other partner organisations as part of the response to the Covid-19 outbreak.

We will not share your information with anyone else unless required to do so under additional legal requirements, for example to assist the government in containing the spread of Covid-19. This may be where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations.

Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the purpose will be shared.

How long will my personal data be retained by the School?

The School will only keep your information for as long as it necessary, taking into account of Government advice and the on-going risk presented by Coronavirus. At a minimum the information outlined in this privacy notice will be kept for the duration of the COVID 19 response.

Information provided in relation to this outbreak of Coronavirus will not be used for any other purpose, including to be held within personnel files 'just in case' it may be needed again.

When the information is no longer needed for this purpose, it will be securely deleted.

Your rights

If you are not happy about the way your personal data is being processed you can complain directly to the School or the School's Data Protection Officer - **School**

Improvement Liverpool 0151 233 3901

or

Chris Walsh- dpo@liverpool.gov.uk

You also have the right to complain to the Information Commissioner's Office.

- ✓ Website: www.ico.gov.uk

- ✓ By post: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- ✓ By email to - mail@ico.gsi.gov.uk
- ✓ Telephone: 0303-123-113

If you require further information about how we process your personal data, you can contact the Data Protection Officer at – DPO@liverpool.gov.uk

Further advice and guidance from the ICO on this issue can be found on the ICO website at www.ico.gov.uk