

PRIVACY NOTICE – SCHOOL WORKFORCE

GENERAL DATA PROTECTION REGULATIONS (GDPR) 2016

Westcountry Schools Trust (WeST) is your employer. WeST controls the data which is processed on our behalf at your place of employment which is any one of the main bases which make up the Westcountry Schools Trust.

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);
- relevant medical information;
- payroll and pension information;
- biometric data where this is required to access catering facilities.

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;
- confirm that you are fit to work with children;
- meet legal requirements as an employer;
- ensure you pay tax and national insurance and any other statutory or agreed payments (court orders, student loans, childcare vouchers etc);
- ensure that you can use cashless catering facilities where provided;
- occasionally we may use your personal information for school or trust promotional activities this may, with your consent, include photographic images.

The lawful basis on which we process this information

We process this information under the following lawful bases:

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract. This includes the use of your photographic image on your staff/volunteer ID card and for other safeguarding purposes – for example, your contract of employment or volunteering agreement (Employment Rights Act 1996), (Safeguarding Vulnerable Groups Act 2006);
- processing is necessary for compliance with a legal obligation to which the controller is subject – for example reporting to HMRC (Income Tax (PAYE) Regulations 2003);
- 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 – for example reporting to the DfE in various returns including the School Workforce Census (Education Act 1996);
- the data subject has given consent to the processing of his or her personal data for one or more specific purposes, including the use of your photographic image for promotional purposes – we hold or will hold a copy of your consent on file.

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- Processing is necessary to protect vital interests – in an emergency data may be shared to protect life.

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 (photographic images for promotional purposes, childcare voucher scheme). 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 six years beyond the end of the employment contract. Where candidates have been unsuccessful during the recruitment process we will destroy their data 6 months after the recruitment decision has been made.

Who we share this information with

We routinely share this information with:

- The WeST Central Services Team;
- the Department for Education (DfE);
- Government agencies eg HMRC;
- our payroll providers (your data will only be provided to the payroll provider which pays you);
- our occupational health providers (your medical data will only be shared with the occupational health provider for your school or setting);
- our auditors;
- our suppliers and service providers.

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.

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We are required to share information with WeST Central Services Team for a variety of payroll, human resource and staff management purposes and to make statutory returns on behalf of the Trust.

Department for Education (DfE)

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

Payroll Providers

We share your information with one of three payroll providers who work with WeST Schools Trust to ensure you are paid and that we meet employer liabilities.

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

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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 DfE 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, your local contact is the WeST Data Protection Lead Officer (DPO). Requests should be made in writing, a form is provided on the GDPR pages on the Trust Website at www.westst.org.uk. Subject access requests should be submitted to DPO-west@westst.org.uk.

Individuals' Rights

Data subjects – the living individual that the personal data being processed relates to – have the following additional rights under GDPR:

- 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/>

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Further information

If you would like to discuss anything in this privacy notice V3 0619, please contact:

WeST Data Protection Officer at DPO-WeST@westst.org.uk

Or in writing to:

Data Protection Officer
Westcountry Schools Trust
Harford Road
Ivybridge
PL21 0JA