

The Belham

Primary School



Privacy notice for staff

This privacy notice provides detailed information about how we process personal data. Under data protection law, individuals have a right to be informed about how the school uses any personal data held 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.

We, The Dulwich Hamlet Educational Trust, are the 'data controller' for the purposes of data protection law. The data protection officer for the Belham Primary School is Karen Smith (see 'Contact us' below).

This Staff Privacy Notice explains how the school collects, uses, processes, and shares staff personal data, and your rights in relation to the data held. It should be considered in addition to our other relevant policies including the school's CCTV policy, retention of records policy, recruitment policy, safeguarding policy and IT Acceptable Use policy.

The categories of school workforce data that we collect, hold and share include:

- Personal information (such as name, employee or teacher number, national insurance number, address, phone number, date of birth)
- Financial information such as your bank details, tax status, information related to pensions and employee benefits
- Information required by law to establish your right to work in the UK
- Contact details of your next of kin
- 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)
- References from past employers, and details of your work history
- DBS check information
- Relevant medical and dietary information
- Payroll info
- Photographs
- CCTV images captured in school
- Disciplinary records
- CPD information
- Records of communication and interactions with you

As a school, we may need to process information about you that falls into "special categories" of more sensitive personal data. When we do so, this is in accordance with applicable law or by explicit consent. This includes information about (where applicable):

- Ethnicity
- Disability
- Country of birth
- Nationality

- Religion
- Trade union membership, where applicable
- Information about certain criminal convictions (in order to comply with legal and regulatory obligations)

Why we collect and use workforce information

We collect personal information via job application forms, forms filled out upon recruitment (emergency contacts, medical information form etc.), and systems used by the school to ensure the safety of staff and pupils (visitor entry system, door access system, CCTV). Whilst most information is collected from you directly, some information is provided by third parties (for example the Disclosure and Barring Service and referees).

This data is supplemented during the course of your employment with us, for example when contact details are updated, performance appraisals are undertaken, and through general interaction with you.

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. Where data is voluntary, we will clearly explain the implications of not providing the information to us.

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
- support performance management and staff appraisals
- provide appropriate pastoral care
- allow better financial modelling and planning
- assess the quality of our service
- comply with the law regarding data sharing

Our legal basis for using and processing this data

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are:

- To comply with a legal obligation (e.g. a contractual obligation related to employment or health and safety law). For example, in order to meet safeguarding requirements set out in UK employment and childcare law, including those set out in:
 - the Childcare (Disqualification) Regulations, 2009
 - the Safeguarding Vulnerable Groups Act, 2006
 - the Academy Funding Agreement
 - To enter into and fulfill our employment contract with you (paying you correctly, administering benefits, performance management).
 - To fulfill our legitimate interests (i.e. running a school in a professional manner, in accordance with all relevant regulations and ensuring the security and safety of our staff and pupils).
 - For data collection purposes. The school workforce census is a statutory data collection required under the Education Act 1996. Further information on the school workforce census can be found here: <https://www.gov.uk/guidance/school-workforce-census>. Further information is provided at the end of this Privacy Notice.
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In addition, concerning any special category data:

- You have given us explicit consent to do so.
- It is necessary to protect you or another's vital interests (for example to ensure you receive appropriate medical information following a life threatening accident).
- It is necessary for some function in the substantial public interest (including the safeguarding of children).

Where we have obtained consent to use your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of this data.

How we store this data

Personal data held by us is processed by appropriate members of staff - for the purposes for which the data was originally provided. We take both technical and organisational steps to ensure security of your data, and have policies around use of technology and access to school systems.

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please refer to the [Information and Records Management Society's toolkit for schools](#). Information on data retention periods for different types of data can be found on page 42 of the Information Management Toolkit.

Personal information that is no longer needed, or has become inaccurate or out of date is disposed of securely. For example, we will shred paper-based records, and delete electronic records.

Data sharing

We do not share information about pupils with any third party without consent, unless the law and our policies allow us to do so. We do not share or sell personal data to other individuals or organisations for their own purposes.

Some of our systems are provided by third parties, for example our Management Information System, which is a cloud based system. This is always subject to assurances that personal data will be kept securely and in accordance with General Data Protection Regulation requirements.

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

- *Our 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.*
 - *The 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.*
 - *Our regulator, Ofsted – to provide evidence of compliance with regulations and best practice, and enable them to effectively judge our performance*
 - *Suppliers and service providers – to enable them to provide the service we have contracted them for (for example Health Assured undertake health screening and provide occupation health support on our behalf).*
 - *Our auditors – to enable them to judge and report on our financial systems and systems of control (for example to check our payroll processes).*
 - *Professional advisers and consultants – to enable them to provide the service we have contracted them for (for example financial consultants, lawyers).*
 - *Our payroll provider, Moore Stephens, to ensure you are paid correctly, and that the correct deductions to salary are made.*
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- *Prospective employers (for example when giving references)*
- *When we are legally required to (for example by a court order, or law enforcement agency such as HM Revenue and Customs or the police).*

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 contact Karen Smith, ksmith272.210@lgflmail.org.

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including 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

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- Karen Smith, ksmith272.210@lgflmail.org 0208 3534290

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, adjusted to reflect the way we use data in this school.

Department for Education 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 academies and free schools). 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>
