

# Marsden Heights Community College – School Workforce Privacy Notice

## How we use workforce information

### The categories of school information that we process include:

- personal information such as name, address, date of birth, employee or teacher number, national insurance number, payroll (bank details, name, sort code, account number)
- characteristics information such as gender, age, ethnic group
- contract information such as start date, hours worked, post, roles and salary information, specialist subject areas, pay progression, appraisal (performance management) DBS, medical information
- qualifications, including professional qualifications, first aid qualifications
- work absence information such as number of absences and reasons
- qualifications (and, where relevant, subjects taught)

## Why we collect and use workforce information

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies, build capacity through effective budgeting and mapping
- c) enable individuals to be paid
- d) support health and safety needs

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

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be: Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(c) Processing is necessary for compliance with a legal obligation to which the controller (Marsden Heights Community College) is subject;

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Education Act 2005 sections 113 and 114 - is a statutory requirement on schools and local authorities for the submission of the school workforce census return, including a set of individual staff records

## **Collecting workforce information**

We collect personal information via staff contract forms, attendance information volunteered, LOA information for professional duties and personal requests.

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.

## **Storing workforce information**

We hold data securely for the set amount of time as identified by IRMS guidance.

Personal file: termination of employment + 6 years

Appraisal/Performance Management records: current year + 5 years

DBS Checks - copies of certificates: 6 months

Oracle information: as per LA/HMRC pay & pension procedures

MIS information: as per manual records

## **Who we share workforce information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- HR personnel
- Advisory Service
- The school MIS (SIMs, Invenry, Behaviour watch, SMHW, FMS, Cyclone, Schnider access control, Microsoft, My Maths, Pixl)

## **Why we share school workforce information**

We do not share information about our 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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

We are required to share information about our school employees with the Department for Education (DfE) and the Local Authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

## 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 Mr J P Stead.

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
- a right to seek redress, either through the ICO, or through the courts

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact:  
Mr J P Stead [jpstead@marsdenheights.lancs.sch.uk](mailto:jpstead@marsdenheights.lancs.sch.uk)

## How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

## Data collection requirements

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>.

## Sharing by the Department

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.

To contact the department: <https://www.gov.uk/contact-dfe>