

PRIVACY NOTICE FOR STAFF/EMPLOYEES LAVINGTON PARK FEDERATION Duncton CE Junior School and Graffham CE Infant School



The EU General Data Protection Regulation (GDPR)

On 25th May 2018 the General Data Protection Regulation (GDPR) came into force, and the Data Protection Act was updated by a new Act (DPA 2018) giving effect to its provisions.

Data Controller

Lavington Park Federation complies with the GDPR and the two schools are registered as a 'Data Controller' with the Information Commissioner's Office.

Graffham CE infant School : Registration Number Z3663770

Duncton CE Junior School : Registration Number Z6952471

The Data Protection Officer (DPO) for the Federation is *to be confirmed*

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

The main reason that the Federation processes personal data is because it is necessary in order to comply with the schools' legal obligations, and to enable it to perform tasks carried out in the public interest,

The school may also process personal data if at least one of the following reasons applies:

- to protect the vital interests of an individual
- there is explicit consent
- to comply with the schools' legal obligations in the field of employment and social security and social protection law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- for reasons of public interest, in the area of public health
- for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which provides measures to safeguard the fundamental rights and the interests of the data subject.

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

- personal information - such as name, date of birth, employee or teacher number, national insurance number, address, contact details (including telephone numbers and email addresses)
- special categories of data including characteristics information such as gender, age, ethnicity, language, nationality, country of birth
- contract information such as start dates, hours worked, post, roles and salary information
- work absence information, such as number of absences and reasons
- performance such as capability and disciplinary matters
- qualifications and recruitment information
- information relevant to the School Work Force Census
- medical information where relevant.

Why we collect and use staff information

We process personal data relating to those we employ to work at our schools for the following reasons:

- employment purposes
- to enable the development of a comprehensive picture of the workforce and how it is deployed
- to inform the development of recruitment and retention policies
- to assist in the running of our schools
- to enable individuals to be paid.

The collection of this information will benefit school staff both nationally and locally by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- 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
- protecting vulnerable individuals
- helping in the prevention and detection of crime.

Whilst the majority of information you provide to us is mandatory, some of it is provided 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.

Who we share information with

We will not give information about you to anyone outside the Federation without your consent, unless the law allows us to.

We are required to share information about our school employees with our local authority (West Sussex County Council) and the Department for Education (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 individuals employed by schools and local authorities that work in state funded 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 DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE 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 the 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 the DfE's strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of 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>.

Retention Periods

Personal data will not be retained by Lavington Park Federation for longer than necessary in relation to the purpose for which it was collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools. <https://irms.site-ym.com/page/SchoolsToolkit>

Rights

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing
6. data portability (this is unlikely to be relevant to schools)
7. intervene, in respect of automated decision making (rarely operated in schools)
8. withdraw consent (see below)
9. complain to the Information Commissioner's Office (see below).

To exercise any of these rights please contact the Federation's Data Protection Officer.

Withdrawal of Consent

The lawful basis upon which the Federation processes personal data is that it is necessary in order to comply with our schools' legal obligations, and to enable it to perform tasks carried out in the public interest.

Where the Federation processes personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

Complaints to ICO

If you have any concerns about our data processing, please raise this is the first instance with the Federation's Data Protection Officer.

If you are not content with the outcome of an internal review, you may then apply directly to the Information Commissioner for a ruling. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Alternatively, you can report a concern online at <https://ico.org.uk/concerns/> or telephone 0303 123 1113.

Contact us

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

Lavington Park Federation staff/employee privacy notice first published 2018

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