

# Privacy Notice (How we use school workforce information)

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about you.

We, Mounts Bay Academy, are the data processor. Leading Edge Academies Partnership is the data controller for the purposes of data protection law.

Our Data Protection Officer is David Teasdale (see 'Contact Us' below).

## The categories of school information that we process

These include:

- personal information (such as name, address, date of birth, employee or teacher number, national insurance number, bank details)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- recruitment information (such as right to work documentation, references)
- performance information
- outcomes of disciplinary, capability and/or grievance procedures
- CCTV footage and photographs
- data about your use of the school's information and communications system
- relevant medical information

## 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
- c) enable individuals to be paid
- d) facilitate safe recruitment, as part of our safeguarding obligations
- e) support effective performance management
- f) allow financial modelling and planning
- g) enable equalities monitoring
- h) improve the management of workforce data across the sector
- i) enable cashless catering

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

We collect and use information under Article 6, (1) e) of the GDPR where 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 or processor and Article 9 (2) b) of the GDPR where special categories of data can be processed for the purposes of carrying out the obligations and exercising specific rights of the data controller or processor.

In addition, concerning any special category data:

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations (including under the Equality Act 2010), or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data mean personal data revealing:

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Biometrics (where used for ID purposes)
- Health Page
- Sex life
- Sexual orientation.

Further personal data including special categories of personal data may be collected and/or processed where consent has been given (for example, school photographs for non-educational purposes and engagement with social media). If consent is the only legal basis for processing and has been given, then this may be revoked in which case the personal data will no longer be collected/processed.

## **Collecting workforce information**

We collect personal information via staff. For example, employment forms.

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 UK 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 shown in our data retention schedule. We create and maintain an employment file for each member of staff. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment. For more information on our data retention schedule and how we keep your data safe, please click here for our Data Protection Policy: <http://mountsbay.org/policies/>

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

We share this information with:

- our local authority (where applicable)
- the Department for Education (DfE)

- pension providers
- suppliers and service providers (payroll)
- auditors
- health authorities
- health and social welfare organisations
- police forces, courts, employment tribunal representatives
- employment and recruitment agencies
- Ofsted

## 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 (DfE) 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](#).

For more information, please see 'How Government uses your data' section.

## 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 Les Hall, Principal via his PA Helen Rodgers at hrodgers@mountsbay.org on 01736 363240.

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics

- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting Les Hall, Principal via his PA Helen Rodgers at [hrodgers@mountsbay.org](mailto:hrodgers@mountsbay.org).

To make a complaint, please contact our data protection officer David Teasdale at [dteasdale@leadingedgeacademies.org](mailto:dteasdale@leadingedgeacademies.org)

## **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated November 2021

## **Contact**

If you would like to discuss anything in this privacy notice, please contact: Les Hall, Principal via his PA Helen Rodgers at [hrodgers@mountsbay.org](mailto:hrodgers@mountsbay.org) on 01736 363240 or our Data Protection Officer, David Teasdale at [dteasdale@leadingedgeacademies.org](mailto:dteasdale@leadingedgeacademies.org).

## 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.

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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