The Loyne Specialist School and Grizedale Centre

Workforce Privacy Policy

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Workforce Privacy Policy

This policy is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information.

The Loyne Specialist School and Grizedale Centre is the data controller and data processor of the personal information you provide to us. This means the establishment determines the purposes for which, and the manner in which, any personal data relating to staff is to be processed. We do not share information about workforce members with anyone without consent unless the General Data Protection Regulations (GDPR), and our policies allow us to do so.

The School Business Manager is the Data Protection Officer (DPO). The role is to broadly oversee and monitor the establishment's data processing practices. All persons accessing or using workforce data must take responsibility for its appropriate use and security. The School Business Manager can be contacted on 01524 64543 during term time, or via email at info@loyne.lancs.sch.uk

The categories of workforce information that we collect, process, hold and share include (list not exhaustive):

- **Personal information** - such as name, address, date of birth, national insurance number, payroll information including tax and bank details, employment history, teacher number, medical information, car registration details
- **Special categories of data** - including characteristics information such as gender, age, ethnic group, disability data
- **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

Why We Collect and Use This Information

We use workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Complete Work Force Census information (statutory return)
- Process payroll
- Allow for financial planning
- For recruitment purposes
- Record and monitor absences
- Carry out statutory safeguarding checks on employees
- For the purpose of correspondence and contact

The Lawful Basis on Which We Process This Information

On the 25th May 2018 the Data Protection Act 1998 was replaced by the General Data Protection Regulation (GDPR).

The conditions for processing under the GDPR are as follows:

Article 6

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

- We have **consent**
- Processing is necessary for compliance with a **legal obligation** to which the controller is subject
- Necessary for the performance of a **contract**
- Processing is in out **vital interests**, e.g. to protect someone's life.
- It is necessary for us to perform a **public task** or official functions which have a clear basis in law.
- The processing is necessary for our **legitimate interests.**

Article 9

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.

This shall not apply if any of the above reasons outlined in article 6 apply or:

- 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 this Information

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

Storing This Information

Data is retained in line with the Information Resources Management Service (IRMS) Retention Schedule. A printed version is available on request from the School Business Manager.

In accordance with the GDPR, the establishment does not store personal data indefinitely. Data is only stored for as long as is necessary to complete the task for which it was originally collected or is stored in line with IRMS retention schedules.

Data storage on other systems used by The Loyne Specialist School or Grizedale Centre is detailed below. List not exhaustive:

Staff Information Systems	Retention Period
Capita SIMs	Capita is the Data Processor.
On our secure network drive	Staff data will be deleted **6 years** from date of contract end
CPOMS – Safeguarding Suite	CPOMS System Limited takes the stance of the Data processor. As a result of this any information logged on the CPOMS system will not be removed but instead will remain on the system until CPOMS receive a request in writing from the Headteacher of the school to remove this from the system. CPOMS are currently developing an inbuilt deletion process specifically for compliance with GDPR legislation. Manual records will be held for 25 years from date of birth of the pupil to which the incident relates.
CCTV	Images are retained for 30 days
Inventry – Signing in System	Until contract end
Email addresses	Linked to your person until contract end
Text Messaging Service	Until contract end
IP Addresses	Changed each time person logs on

Who We Share This Information With

We routinely share this information with:

- Lancashire County Council
- the Department for Education (DfE)
- People and Pay Services/Douglass Grange (HR and Payroll Services)

Why We Share 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.

The establishment has the legal rights to collect and process personal data relating employees. We are required, by law, to pass on some personal information to Lancashire County Council and the DfE. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- School Staffing (England) Regulations 2009 (as amended)
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009
- 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.

- Staff members' personal data is also processed to assist in the running of the school, and to enable individuals to be paid through People and Pay Services with Douglas Grange Accountants.

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 (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to funding / expenditure and the assessment educational attainment.

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

DfE - 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 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/government/collections/statistics-school-workforce

The department may share information about 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 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

Will Your Personal Data Be Sought from Third Parties?

Staff members' personal data is normally only sought from the data subject. No third parties will be contacted to obtain staff members' personal data without the data subject's consent. In certain circumstances staff members' personal data may be obtained and processed from third parties where the law requires the school to do so, e.g. medical records from a GP, school census return to the DfE, payroll. The categories of data obtained and processed from third parties include:

- Employment References
- Medical Information
- Information for HR/payroll
- Information for School Workforce Census return

List not exhaustive.

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 **Anna Bradley School Business Manager/Data Protection Officer.**

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
- 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/

Further information

If you would like to discuss anything in this privacy notice, please contact: contact Anna Bradley, School Business Manager/Data Protection Officer.

Further information about the General Data Protection Regulations (GDPR) can be found in our GDPR Policy on our website at https://loyneschool.org.uk/

Date of Review: May 2024
Date of Next Review: May 2027 or as and when changes occur