



Brentside Primary Academy Privacy Notice

School Workforce

(How we use school workforce information)



Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold 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.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

We, Brentside Primary Academy are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Jemima Smith

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

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status, gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation, disability and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

Why we collect and use this information

We use school workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Enable individuals to be paid
- Allow better financial modelling and planning
- Enable monitoring of selected protected characteristics
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

The personal data includes identifiers such as Name, Date of Birth, HCPC number, Personal characteristics such as gender and ethnic group, qualifications and absence information.

We will not share information about you with third parties without your consent unless the law allows or requires us to. We are required to share some of your personal data with:

- The Department for Education (DfE)- If you require more information about how DfE store and use your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

The lawful basis on which we process this information

General Personal Data (Article 6 of GDPR)

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data – for example- Next of kin details

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Special category data (Article 9 of the GDPR)

- The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject

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

We hold school workforce data for the following periods:-

HR Documents	Retention Period
Staff Personal files (Includes application form, bank details, medical form & DBS form)	Termination + six years (6 Years)
Timesheets, sick pay	Current year and previous six years (7 Years)
Appraisal Records	Current Year + five years (6 Years)
Interview notes and recruitment records	Date of interview + one Year (1 Year)
Proof of Identification	Until last date of employment
Disciplinary proceedings: <i>Oral warning</i> <i>Written warning – level one</i> <i>Written warning – level two</i> <i>Final warning</i> <i>Case not found</i>	Date of warning + 6 months Date of warning + 6 months Date of warning + 12 months Date of warning + 18 months Destroy immediately
Records relating to accident/injury at work	Date of incident + twelve years (12 Years)
Annual appraisal/assessment records	Current year + five years (6 Years)
Salary Records	Last date of employment + 85 years
Maternity pay records	Current year, + three years (4 Years)
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Current year and previous six years(7 Years)
Self-Certification sickness forms	Current year and previous six years (7 Years)
Professional Development Plans	Life of the plan + six years
All records relating to employment of a new Headteacher	Date of appointment + six Years (6 Years)
DBS check	6 months
Allegation of a child protection nature against a member of staff	Retirement Age or 10 years from the date of the allegation (10 Years)

Who we share this information with

We routinely share this information with:

- Ealing Local Authority
- The Department for Education (DfE)
- Payroll Provider (Dataplan Education)
- Auditors (Bright Graham & Murray and CEFM)
- Pension Providers

Why we share school 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.

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

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

- Ealing Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns 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- 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 school funding / expenditure and the assessment educational attainment.
- Your family or representatives- Next of kin
- Educators and examining bodies- Legal obligations
- Ofsted- Regulator, legal obligations
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Our auditors- legal obligations
- Trade unions and associations- legal obligations
- Health authorities- vital interest
- Security organisations- legal obligations
- Health and social welfare organisations- legal obligations
- Professional advisers and consultants- legal obligations
- Police forces, courts, tribunals- legal obligations
- Professional bodies- legal obligations
- Employment and recruitment agencies- legal obligations
- Pension Providers- legal obligation

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/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>

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, write to:-

Jemima Smith
Data Protection Officer
Bretnside Primary Academy
Kennedy Road
Hanwell
W7 1JL

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;
- 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:

Melanie Bailey
School Business Manager
Bretnside Primary Academy
Kennedy Road
Hanwell
W7 1JL