# Privacy Notice (How we use workforce information)

**[Enter who is responsible for this information. For example, Anytown Academy / local authority is the Data Controller for the use of personal data in this privacy notice]**

**[Suggested wording to make available to those employed to teach, or otherwise engaged to work, at a school or a local authority to explain how you use their personal information. You must review and amend to reflect local needs and circumstances, as you will process data that is not solely for use within data collections]**

## The categories of school information that we process

These include:

* personal information (such as name, employee or teacher number, national insurance number)
* 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)

**[Schools / local authorities need to add to this list other categories of workforce information that they process, for example; relevant medical information, addresses, and other payroll information.]**

This list is not exhaustive, to access the current list of categories of information we process please see **[link to website or location of data asset register / current privacy notice]**

## Why we collect and use workforce information

**[School / local authority to insert both the purposes and lawful bases for collecting and using workforce information]**

We use workforce data to:

1. enable the development of a comprehensive picture of the workforce and how it is deployed
2. inform the development of recruitment and retention policies
3. enable individuals to be paid

**[Schools / local authorities need to add to this list all other reasons for which they collect and use workforce information]**

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

**[School / local authority to insert the lawful basis (bases) for collecting and using personal information for general purposes (must include a basis from Article 6, and one from Article 9 where data processed is special category data from the GDPR). Ensure you list all relevant legislation that supports the lawful basis. For DfE data collections see relevant legislation for each specific** [**data collection**](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you collect data for]**

* for the purposes of **[Insert purpose / purposes]** in accordance with the legal basis of **[Insert legal basis]**

In addition, concerning any special category data:

* conditions **[Insert conditions]** of [GDPR - Article 9](https://gdpr-info.eu/art-9-gdpr/)

**[Schools / local authorities to extend to list lawful basis / bases for each purpose that they are processing. Each of the special categories should be repeated for the purposes of transparency and explain what special category relates to what**

## Collecting workforce information

We collect personal information via **[explain method of data collection used, for example, staff contract 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 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 and we will tell you what you need to do if you do not want to share this information with us.

## Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit **[link to website]**

**[Schools / local authorities should explain or reference the appropriate data retention documents that show where data is held, the security arrangements (high level), and policies about safe use of data within the local authority. Ideally, this section should link to policies that are easily accessible and regularly reviewed].**

## Who we share workforce information with

We routinely share this information with:

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

**[Schools / local authority to amend and extend this list to include all other parties with whom they regularly share information. For example, academy chains / federations / Multi Academy Trusts (MATs). Once stated you also need to explain why you share the data and what makes it lawful below]**

## 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.

**[School / local authority to explain why they share workforce data and insert any relevant legislation for sharing it with those named in ‘Who we share this information with’ section. It is also useful to state how the data is transferred and link to any data retention policies where available]**

Local authority **[for use by schools only - delete if not appropriate]**

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:

**[Local authority to insert relevant legislation for their sharing of information with DfE. See relevant legislation for each specific** [**data collection**](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you complete]**

**Examples for school workforce census:**

**[For use by maintained schools only:]**

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

**[For use by academies and free schools only:]**

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.

**[For use by pupil referral units only:]**

We are required to pass information about our school employees to the Department for Education (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](https://www.gov.uk/government/publications/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 **[include details of administrator / data protection officer]**

Depending on the lawful basis above, you may 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/>

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

**[For use where consent is the lawful basis. Therefore, where consent is NOT used, this section will need to be deleted]**

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 **[identify a suitable representative here xxxxxx along with their contact details]**

## 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 on **[insert data notice was drafted/last updated].**

## Contact

If you would like to discuss anything in this privacy notice, please contact: **[Insert name and / contact details of your administrator / data protection officer]**

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

Our local authority at [**http://www.ealing.gov.uk/info/200527/your\_child\_at\_school/710/schools\_privacy\_notice**](http://www.ealing.gov.uk/info/200527/your_child_at_school/710/schools_privacy_notice) or

The DfE website at

[**https://www.gov.uk/data-protection-how-we-collect-and-share-research-data**](https://www.gov.uk/data-protection-how-we-collect-and-share-research-data)

If you are unable to access these websites we can send you a copy of this information.

Please contact the LA or DfE as follows:

Data Protection Officer

Perceval House

14-16 Uxbridge Road

Ealing

London

W5 2HL
Tel: (020) 8825 8282
Email: dataprotection@ealing.gov.uk

Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Telephone:0370 000 2288

Email: <http://www.education.gov.uk/help/contactus>

# 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>