



## **Lordswood Girls' School & Sixth Form Centre Staff Privacy Notice**

### **(How we use workforce information)**

**Lordswood Girls' School & Sixth Form Centre is the Data Controller for the use of personal data in this Privacy Notice.**

**The categories of school information that we process 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)

This list is not exhaustive, to access the current list of categories of information we process please see the data asset register available from Sheila Foley, Data Protection Officer.

### **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

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

Our legal basis for processing for the personal data:

- Performance of a contract, namely a contract of employment.
- Compliance with legal obligations to ensure all appropriate tax and national insurance payments are made.
- Processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- 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.

Any legitimate interests pursued by us, or third parties we use, are as follows:

- To enable us to make appropriate wages/salary deductions on your behalf.

The special categories of personal data concerned are:

- Trade union membership (if applicable)
- Ethnic origin (if applicable)
- Religious beliefs (if applicable)
- Health data
- Criminal record/convictions (if applicable)

## **Collecting workforce information**

We collect personal information via application 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 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. For more information on our data retention schedule and how we keep your data safe, please contact Sheila Foley, Data Protection Officer on 0121 429 2838 or by email at [s.foley@lordswoodtrust.co.uk](mailto:s.foley@lordswoodtrust.co.uk).

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

We routinely share this information with:

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

## **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.

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.

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 Sheila Foley, Data Protection Officer on 0121 429 2838 or [s.foley@lordswoodtrust.co.uk](mailto:s.foley@lordswoodtrust.co.uk).

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
- 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 our 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 Sheila Foley, Data Protection Officer.

## 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 6<sup>th</sup> November 2019.

## Contact

If you would like to discuss anything in this privacy notice, please contact: Sheila Foley, Data Protection Officer.

## 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>

## **Special Category Data**

Special category data is personal data that requires more protection because it is sensitive.

The school must comply with an additional condition where we process special categories of personal data. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with employment law and health and safety obligations (such as those in relation to employees with disabilities).

The school also processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief. This is done for the purposes of equal opportunities monitoring and in accordance with its Public Sector Equality Duty in accordance with the Equality Act.

Some of the reasons we process such data on employees include:

1. Legal claims. The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisers and insurers.

2. Medical purposes. This includes medical treatment and the management of healthcare services.
3. Where we need to carry out our legal obligations or exercise rights in connection with employment.
4. Where it is needed in the public interest, such as for equal opportunities monitoring [or in relation to our occupational pension scheme].
5. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
6. Information about your race or ethnicity, religious beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
7. We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.
8. Information about criminal convictions and offences.
9. Information about your health, including any medical condition, health and sickness records, including:

where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill-health, injury or disability, the records relating to that decision;

details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and

where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with carrying out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **Sharing of Data**

Data is shared, where lawful, as follows:-

Mazars – third party payroll providers

Centre for Education and Finance Management – third party personnel, finance and consultancy

Medigold – Occupational Health Advisers

UK Healthcare

DfE

Busy Bees (Childcare Vouchers)

BHSF

Auditors – PKF Cooper Parry & Stone

West Midlands Pension Fund

Teachers Pensions

## **Contact**

If you would like to discuss anything in this privacy notice, please contact:

**Sheila Foley, Data Protection Officer**  
**Telephone Number: 0121 429 2838**  
**s.foley@lordswoodtrust.co.uk**