

# Privacy Notice for the school workforce

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, James Brindley School, Bell Barn Road, Edgbaston Birmingham B15 2AF, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Kristina Murphy (see 'Contact us' below).

## The personal data we hold

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 and 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
- Specialist checks require or working in schools including Disclosure and Barring Service (DBS) check
- Performance information including incident reports
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence and car insurance details
- 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 and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

## Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management

- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Enable compliance with health and safety legislation
- To respond to Subject Access Requests

### **Our lawful basis for using this data.**

We only collect and use personal information about you when the law allows us to do so. 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 explicit consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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.

### **Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

### **How we store this data**

Personal data is stored in line with the schools *Data Protection Policy*.

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the [Information and Records Management Society's toolkit for schools](#).

### **Data sharing**

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.

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

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns*
- *The Department for Education - to meet our legal duties to share certain information with it, such as annual census returns*
- *Your family or representatives –in an emergency when it is in the data subjects vital interests*

- *Educators and examining bodies – so the school can carry out legitimate business activities including exam board registration*
- *Our regulator, OFSTED, - to meet our legal duties and ensure that we are complying with regulation requirements*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll and lone working monitoring*
- *Central and local government – to meet our legal obligations set out in the Education Act 2005*
- *Our auditors – to ensure we are fulfilling our legal obligations associated with financial regulations*
- *Trade unions and associations – to comply with staff requests to share information*
- *Health and social welfare organisations – to comply with legal reporting processes such as reporting to the Health & Safety Executive*
- *Professional advisers and consultants - to ensure that the school effectively quality assures provision and to support school improvements for the benefit of the pupils, as set out in the Academy funding agreement*
- *Police forces, courts, tribunals – to meet our legal duties to share certain information in circumstances such as the detection and investigation of a crime*
- *Professional bodies – to meet our legal duties share information such as professional conduct concerns*

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **Your rights**

#### **How to access personal information we hold about you**

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

#### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)

- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

## **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

- Kristina Murphy (murphyk@jamesbrindley.bham.sch.uk), Data Protection Officer, Corporate Services, Bell Barn Road, Edgbaston, Birmingham B15 2AF

*This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this school.*