

A decorative graphic on the right side of the page features three blue circles of varying sizes and two thin blue lines. One large circle is at the top, a smaller one is in the middle, and another large one is at the bottom right. The lines intersect to form a triangular shape that frames the circles.

# **Data Privacy Notice: Staff and Governors**

Rudyard Kipling Primary School

September 2023

## **Privacy Notice (How we use school workforce information)**

### **The categories of school workforce information that we collect, process, hold and share include:**

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- 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)
- DBS (Disclosure and Disbarring Service) documentation
- payroll and pensions information
- relevant medical information

### **The categories of Governors' information that we collect, process, hold and share include:**

- Name, address, phone number email address . This information is shared with Governor Support and the NGA. This information is kept in a database by the clerk to Governors whilst they are on the governing body of the school.
- Date of birth and any previous names are also stored and passed to Get Information About Schools (GIAS - the DfE database of governors).

## **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
- inform the development of recruitment and retention policies
- enable individuals to be paid

## **The lawful basis on which we process this information**

We collect and use staff information under the following bases (in our role of collectors of data we are known as the 'Data Controller'):

- "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" - GDPR Article 6(1)(e)
- "processing is necessary for compliance with a legal obligation to which the controller is subject" – GDPR Article 6(1)(c)/Education Act 1996

- “processing is necessary for reasons of substantial public interest, on the basis of 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” - GDPR Article 9(2)(g)

## 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 lengths of time:

6 months:

- Disciplinary – oral warning
- Disciplinary – written warning level 1

12 months:

- Disciplinary – written warning level 2

18 Months:

- Disciplinary - Final warning

3 Years:

- Minutes of Senior Management Team meetings and the meetings of other internal administrative bodies.
- Reports created by the Head Teacher or the Management Team.
- Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities.
- Maternity pay records

5 years:

- General filing
- Annual appraisal/assessment records

6 years:

- Staff Personal File
- Timesheets
- Reports presented to the Governing Body
- Records relating to complaints dealt with by the Governing Body

- Records created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities
- Visitors' Books and Signing in Sheets
- All records leading up to the appointment of a new member of staff – unsuccessful candidates
- Accident reporting - adults
- Records relating to the identification and collection of debt

## Longer retention times:

Allegation of a child protection nature against a member of staff including where the allegation is unfounded will be kept until the person's normal retirement age or 10 years from the date of the allegation whichever is the longer then reviewed (Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned).

Records relating to accidents and injuries at work will be kept for 12 years In the case of serious accidents a further retention period will need to be applied.

## Data Security

All data collected is securely stored in accordance with our data protection policy. Digital data is password protected and encrypted where appropriate. Physical data is stored securely in locked cupboards or in rooms with security coded doors when unattended.

## Who we share this 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 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 (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 school 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.

## 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>

## ParentPay

We use the online payment system, ParentPay to provide, modern services for parents. It reduces bureaucracy and streamlines cash handling processes within our school. ParentPay

Ltd is a limited company and is registered with the Information Commissioner in terms of the requirements of the GDPR to hold and process personal information.

### Using your personal information

The school is a “controller” of the personal information and when you children join us, we ask for the following information: parent/carer contact details (name, address, phone, email); the child’s name, date of birth, gender and address and free meal entitlement.

### Why do we need this information?

The school holds the information described above on a secure database (“SIMS”). This information will be shared with ParentPay to allow parents to make online payments for their child’s school. The ParentPay system also provides income management for schools, dinner money administration and an integrated parent communication system.

ParentPay will hold your information and your child’s information on a secure database within the UK and will use your information and your child’s information in connection with the provision of online payments for schools and for no other purpose.

ParentPay will hold your information while your child attends our school and at the end of that period the school will ask ParentPay either to return your information to the Council or securely destroy it.

You can ask for your data to be updated or removed from ParentPay by notifying the school. If you wish your data to be removed from ParentPay, we would tell them to stop using this information, and you would no longer be able to make online payments for your child.

The school and ParentPay have entered into a Data Processing Agreement which sets out the duties of each party to comply with the requirements of the GDPR.

## SchoolPing

As a school, it is part of our statutory duty to provide and communicate information about their child’s education to parents. To this end, we share primary contact information with DB Primary’s SchoolPing (<https://www.schoolping.co.uk>). This allows us to quickly and cost-effectively contact parent/carers via text and/or Email.

## 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 Steven Chennells ([stevechennells@kipling.brighton-hove.sch.uk](mailto:stevechennells@kipling.brighton-hove.sch.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
- 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: James Stanley (Data Protection Officer).