

# Privacy notice for the school workforce



<b>Approved by Governors:</b>	<b>Date:</b> March 2023
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<b>Next review due by:</b>	December 2024
<b>The person responsible for monitoring this policy statement and monitoring and evaluating its implementation is:</b>	<b>Mr M.McCann</b>

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## 1. Introduction

Under data protection law, individuals have a right to be informed about how our 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, Greenbank School of Greenbank Lane, Hartford, Northwich, Cheshire. CW8 1LD, are the 'data controller' for the purposes of data protection law.

Contact details for our data protection officer is contained within Section 10.

## 2. The personal data we hold

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
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- Data about your use of the school's information and communications system
- Disclosure and Barring Service details.

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

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

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

### 3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Support effective performance management
- d) Inform our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body

#### 3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

#### 3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

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

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of (b) and (g) from section 3 above, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school.
- For the purposes of (b) and (f) from section 3 above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law including 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.
- For the purposes of (a) from section 3 above, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- For the purposes of (a) and (c) from section 3 above, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of (d), (e) and (h) from section 3 above, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason.

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 would go about withdrawing consent if you wish to do so.

#### 4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

## 6. How we store this data

We keep personal information about you while you work at our school. Personal data is stored in line with our [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.

We may also keep it beyond your employment at our school if this is necessary. Our [record retention schedule](#) sets out how long we keep information about staff.

A copy of our record retention schedule can be obtained from school on request.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

## 7. Who we share data with

We do not share information about you with any third party 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:

- › Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- › Government departments or agencies
- › Our regulator, e.g. Ofsted
- › Your representatives including Trade unions and associations
- › Suppliers and service providers
- › Financial organisations
- › Our auditors
- › Health authorities
- › Security organisations
- › Health and social welfare organisations
- › Professional advisers and consultants
- › Charities and voluntary organisations
- › Police forces, courts, tribunals
- › Professional bodies
- › Employment and recruitment agencies

### 7.1 Transferring data internationally

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

## 8. Your rights

### 8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- › 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 (Section 10)

## 8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge 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
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- 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 (Section 10)

## 9. 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 or 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/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 10. 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**.

Martin Waters  
Schools Data Protection Officer  
Cheshire West and Chester Council,  
HQ, 58 Nicholas Street,  
Chester,  
CH1 2NP

Email: [schoolDPO@cheshirewestandchester.gov.uk](mailto:schoolDPO@cheshirewestandchester.gov.uk)

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

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

Head teacher Greenbank School

[contactus@greenbank.cheshire.sch.uk](mailto:contactus@greenbank.cheshire.sch.uk)



## **Appendix 1- Covid-19 addendum**

The link below details arrangements for data holding for the testing of pupils using the Lateral Flow Test.

[Greenbank School – COVID-19 Testing Privacy Statement](#)