

1. Privacy notice for 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 within our trust.

We, Kingston Educational Trust, are the 'data controller' for the purposes of data protection law. Our data protection officer is Zara Gallagher (see 'Contact us' below).

2. The categories of school information that we process include:

We process data relating to those we employ, or otherwise engage, to work within our trust. Personal data that we may collect, use, store and share (when appropriate and lawful) about you includes, but is not restricted to:

- contact details
- next of kin and emergency contact numbers
- personal information (such as name, date of birth, employee or teacher number,)
- salary, annual leave, pension and benefits information
- bank account details, payroll records, National Insurance number and tax status information
- characteristics information (such as gender or age)
- recruitment information, including copies of right to work documentation, references and other information included in the application process
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications, employment records, including work history, job titles, working hours, training records and professional memberships
- performance information
- records and outcomes of any disciplinary and/or grievance procedures or safeguarding investigations or complaints
- copy driving licence
- data about your use of the school's information and communications system
- sign-in information

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This could include information about (where applicable):

- Race, ethnicity
- Trade union membership
- Health, including any medical conditions, and sickness records
- Photographs and CCTV images captured in school

This list is not exhaustive and will be periodically updated. 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/trusts and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we collect and use workforce information

The purpose of processing this data is the effective running of 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 to enable the development of a comprehensive picture of the workforce and how it is deployed
- support the work of the School Teachers' Review Body

4. Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. 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 to fulfil our function in the operation of a school

Less commonly, we may also use personal information about you where:

- You have given us 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.

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 UK 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
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

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 UK 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 workforce information

We collect personal information from you directly (for example from application forms and questionnaires) and also from third parties, in particular references.

Workforce data is essential for the trust/school'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.

6. Storing workforce information

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 our data retention schedule. For more information on how we hold your data please see our data retention schedule available on the [data protection page](#) of our website.

7. Who we share workforce information with

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

- Our local authority, Royal Borough of Kingston, to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies
- Educators and examining bodies
- Our regulator, Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations
- Our auditors

- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Your family or representatives

8. 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.

a. 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.

b. 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 school employees with the (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 below.

9. Transferring data internationally

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

10. Requesting access to your personal data and other rights

Under data protection legislation, you have the right to request access to information about you that we hold, this is a '**subject access request**'. If you would like to make a request, please contact Zara Gallagher our 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 below.

11. Contact

If you would like to discuss anything in this privacy notice, please contact our data protection officer: Zara Gallagher, Head of Governance and Legal email: dataprotection@kingstoneducationaltrust.org

12. Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

13. 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 for Education

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>