



# The Winterton Federation

## Privacy Notice - How we use school workforce information



Privacy Notice Published October 2024

Workforce is defined as all paid staff including those on placements, secondments and agency staff.

### The categories of school information that we process

These include:

- personal information (such as name, employee or teacher number, national insurance number);
- characteristics information (such as sex, 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;
- medical information
- disciplinary matters are recorded on “Staff Safe” (part of CPOMS), which means that your data is processed on a third party-platform.

This list is not exhaustive, to access the current list of categories of information we process, please speak to the Data Protection lead in school, Mrs Cheryl Baxter.

### Why we collect and use workforce 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;
- comply with HMRC and employment legislation.

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

- Article 6 (1) (c) - *processing is necessary for compliance with a legal obligation to which the controller is subject;*
- Article 6 (1) (e) - *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.*

In addition, concerning any special category data we rely on Article 9:

- Article 9 (2) (a) - *the data subject has given explicit consent to the processing of those personal data for one or more specified purposes;*
- Article 9 (2) (c) - *to protect the vital interests of the individual;*
- Article 9 (2) (f) - *in the event of legal claims or judicial acts;*
- Article 9 (2) (i) - *as required for purpose of public health (with a basis in law).*

### Collecting workforce information

We collect personal information via recruitment documents, such as, job application forms, DBS certificates, qualification certificates and ID for safe recruitment purposes.

Workforce data is essential for the federation’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



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to comply with UK-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.

### **Storing workforce information**

We hold workforce data securely for the set amount of time shown in our data retention schedule. We have adopted the Information and Records Management Society (IRMS) recommendations as our data retention schedule.

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

We routinely share this information with:

- our Local Authority (LA) Children's Services, the LA payroll department;
- the Department for Education (DfE);
- HM Revenue and Customs (HMRC);
- LA Human Resources (HR);
- Occupational Health;
- LA Insurance.

### **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)**

The DfE collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our Federation employees with (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 the 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.

For privacy information on the data the DfE collects and uses, please see

<https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers>.

### **Requesting access to your personal data**

The UK-GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact **Mrs Cheryl Baxter (Business Manager)**



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[sbm.wintertonfederation@northlincs.go.uk](mailto:sbm.wintertonfederation@northlincs.go.uk) or Mr Tim Pinto at The E-Safety Office Ltd  
[tpinto@esafetyoffice.co.uk](mailto:tpinto@esafetyoffice.co.uk)

You also have the following rights:

- the right to be informed about the collection and use of your personal data - this is called 'right to be informed';
- the right to ask us for copies of personal information we have about you - this is called 'right to access', this is also known as a Subject Access Request (SAR);
- the right to ask us to change any information you think is not accurate or complete - this is called 'right to rectification';
- the right to ask us to delete your personal information - this is called 'right to erasure';
- the right to ask us to stop using your information - this is called 'right to restriction of processing';
- the 'right to object to processing' of your information, in certain circumstances;
- rights in relation to automated decision making and profiling;
- the right to withdraw consent at any time (where relevant);
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it, for example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task;
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests;
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you do not have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office.

For further information on how to request access to personal information held centrally by the DfE, please see the "How Government uses your 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 the Executive Headteacher.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact Mrs Cheryl Baxter.

### **How Government uses your data**

The workforce data that we lawfully share with the DfE through data collections:

- informs the DfE policy on pay and the monitoring of the effectiveness and diversity of the school workforce;



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- 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 DfE including the data we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### Sharing by the DfE

The DfE may share information about federation 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 DfE will only share your personal data where it is lawful, secure and ethical to do so and 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 the DfE releases personal data to third parties are subject to strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the DfE data sharing process, please visit <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided information, and for which project, please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

### How to find out what personal information the DfE hold about you

Under the terms of UK-GDPR, you are entitled to ask the DfE:

- if they are processing your personal data;
- for a description of the data that they hold about you;
- the reasons they are 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 DfE, you should make a 'Subject Access Request'. Further information on how to do this can be found within the DfE's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>