

# Privacy Notice (How we use school workforce data)

We, **Comet Nursery School & Children's Centre**, are a Data Controller for the purposes of the General Data Protection Regulation. We collect information from you and may receive information about you from third party organisations. If you have any queries about this Privacy Notice please contact our Data Protection Officer: **Katie Wetherill, School Business Manager**

## **The categories of personal data that we collect, process, hold and share include:**

- personal information (such as name, address, 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)
- banking information relating to payment of salaries
- information relating to the physical or mental health of employees if required

## **Why we collect and use this personal data**

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- to meet legal requirements in reporting staffing arrangements to the Department for Education
- inform the development of recruitment and retention policies
- enable individuals to be paid

## **The lawful basis on which we process this personal data**

We process this information in accordance with the General Data Protection Regulation (GDPR). Under the GDPR, the lawful basis' we rely on for processing personal information relating to staff members are:

- legal obligation
- necessary for performance of a contract
- legitimate interests

These lawful bases for processing are specified in Article 6 of the GDPR (<https://gdpr-info.eu/art-6-gdpr/>). The majority of the data processing falls under Articles 6(b) (performance of a contract)

In addition, the lawful basis for any processing activities concerning special category personal data is specified in Article 9(2)(b) of the GDPR (<https://gdpr-info.eu/art-9-gdpr/>) (<https://publications.parliament.uk/pa/bills/cbill/2017-2019/0153/18153.pdf>) where the processing is necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment or social security law. ) and Part 1 of Schedule 1 of the Data Protection Act 2018

Statutory data processing activities such as submitting data for the school workforce census are undertaken in accordance with Article 6(c) and Article 9(2)(b) when special category personal data is involved. Submission of school workforce census returns (including a set of named staff records) is a statutory requirement on schools and local authorities by virtue of regulations made under sections 113 and 114 of the Education Act 2005. This means that:

## **Reviewing and Updating your Privacy Notice**

- although schools and local authorities must meet their obligations to data subjects information law, they do not need to obtain consent for the provision of information from individual members of the workforce
- schools and local authorities are protected from any legal challenge that they are breaching a duty of confidence to staff members
- schools and local authorities must complete a return.

## **Storing this data**

We hold records about staff for a set period of time depending on the type of information they contain.

Details about how long we keep different types of records containing personal data can be found in our Retention Schedule on our website: [www.cometnurseryandcc.co.uk](http://www.cometnurseryandcc.co.uk)

## **Who we share this data with**

We routinely share this information with:

- our local authority (The London Borough of Hackney)
- the Department for Education (DfE)

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>.

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>

## **Why we share school workforce data**

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.

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.

## **Your rights with regard to your personal data**

You have the right to:

- request access to information about you that the school holds. To make a request for your personal information contact **Katie Wetherill, School Business Manager**
- withdraw consent you have given for the school to process personal information where you have provided it
- 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

**Who to contact if you have any concerns about how we use your personal data**

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;

**Katie Wetherill**

**School Business Manager**

**Comet Nursery School & Children's Centre**

**20 Halcomb Street**

**London**

**N1 5RF**

**Tel: 0207 749 9850**

**Email: [Admin@comet.hackney.sch.uk](mailto:Admin@comet.hackney.sch.uk)**

or directly to the Information Commissioner's Office at;

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

ICO helpline: **0303 123 1113**

Email: <https://ico.org.uk/concerns/>