SHIRLEY HIGH SCHOOL PERFORMING ARTS COLLEGE

Our Vision:

To develop aspirational learners who strive for excellence academically, creatively and culturally, benefitting from a wide range of opportunities led by inspirational educators.

PRIVACY NOTICE FOR THE SCHOOL WORKFORCE

Contents

1. Introduction 1
2. What categories of information are processed? 1
3. Why do we collect and use your Information? 2
4. How do we collect your information? 4
5. How do we store your information? 4
6. Who do we share your data information with? 4
7. Why do we share your information? 5
8. How does the government use your data? 5
9. How to find out what personal information the DfE holds about you 6
10. What are your rights? 6
11. How to withdraw consent or lodge a complaint 7
12. Updating this privacy notice 7
13. Contact us 7

1. Introduction

Under UK 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.

Our trust, Shirley High School, Shirley Church Road, Croydon, CR0 5EF, is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Mr A Freeman (see 'Contact us' below).

2. What categories of information are processed?

The categories of personal information that we process include (but are not restricted to) the following:

- Personal information – e.g. name, employee or teacher number, date of birth, contact details and next of kin emergency details
- Characteristics information – e.g. gender, age and ethnicity
- Contract information – e.g. start date, hours worked, post, roles and salary information, annual leave, pension and benefits
- Bank account details, payroll records, National Insurance number and tax status information
- Work absence information – e.g. number of absences, reasons for absence and sickness records
- 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
- Disclosure & Barring Service information in respect of criminal offence data
- Qualifications and, where relevant, the subjects taught, employment records including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Copy of driving licence

- Any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school
- Trade union membership
- Biometric data - Staff fingerprints are stored digitally exclusively for the purpose of purchasing school meals (this data will be deleted when the member of staff leaves the school)

3. Why do we collect and use your information?

3.1 We will only use your personal information when the law allows us to. We collect and use your information for the following reasons: -

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation)
- Where it is needed in the public interest or for official purposes
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided us with consent to process your personal data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

Please note that we may process your information without your knowledge or consent, where this is required or permitted by law.

The situations in which we will process your personal information are listed below: -

- To determine recruitment and selection decisions on prospective employees
- In order to carry out effective performance of the employees contract of employment and to maintain employment records
- To comply with regulatory requirements and good employment practice
- To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements
- Enable the development of a comprehensive picture of the workforce and how it is deployed and managed
- To enable management and planning of the workforce, including accounting and auditing
- Personnel management including retention, sickness and attendance
- Performance reviews, managing performance and determining performance requirements
- In order to manage internal policy and procedure
- Human resources administration including pensions, payroll and benefits
- To determine qualifications for a particular job or task, including decisions about promotions
- Evidence for possible disciplinary or grievance processes
- Complying with legal obligations
- To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution
- Education, training and development activities

- To monitor compliance with equal opportunities legislation
- To answer questions from insurers in respect of any insurance policies which relate to you
- Determinations about continued employment or engagement
- Arrangements for the termination of the working relationship
- Dealing with post-termination arrangements
- Health and safety obligations
- Prevention and detection of fraud or other criminal offences
- To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

3.2 How We Use Particularly Sensitive Information
Sensitive personal information (as defined under the GDPR as "special category data") require higher levels of protection and further justification for collecting, storing and using this type of personal information. We may process this data in the following circumstances: -

- In limited circumstances, with your explicit written consent
- Where we need to carry out our legal obligations in line with our data protection policy
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme)
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

We will use this information in the following ways: -

- Collecting information relating to leave of absence, which may include sickness absence or family related leave
- To comply with employment and other laws
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations

3.3 Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

4. How do we collect your information?

We collect your personal information via the following methods:

- Job application and recruitment forms
- Medical forms, self-certification forms and GP Fit Notes
- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

Workforce data is essential for the school's operational use. Whilst most information you provide to us is mandatory, some of it is requested on a voluntary basis. To comply with the 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.

5. How do we store your information?

Your personal information is retained in line with the school's Data Retention Policy, which is available from the data protection officer.

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. For more information about how we securely store your information, please see the school's Data Protection Policy.

6. Who do we share your information with?

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following:

- The Local Authority
- The Department of Education (DfE)
- Ofsted
- Prospective employers
- Welfare services (such as social services)
- Law enforcement officials such as police, HMRC
- Local Authority Designated Officers
- Training providers
- Professional advisors such as lawyers and consultants
- Support services (including HR support, insurance, IT support, information security, pensions and payroll)

- Occupational Health services
- Disclosure and Barring Service
- Recruitment and supply agencies

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, and are required to respect the security of your data and to treat it in accordance with the law.

7. Why do we share your information?

We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so.

Sharing with the Local Authority

We are required to share information about our school workforce with our LA under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Sharing with the Department of Education

The DfE collects personal data from educational settings and LAs 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 information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework, which can be found by following this link: https://www.gov.uk/government/publications/security-policy-framework

8. How does the government use your data?

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

- Informs the DfE's 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.

You can find more information about the data collection requirements placed on us by the DfE by following this link: https://www.gov.uk/education/data-collection-and-censuses-for-schools.

The DfE may share your information with third parties who promote the education or wellbeing 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 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 and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information?
- The purpose for which the information is required.
- The level and sensitivity of the information requested.
- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

9. How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter.

You can also contact the DfE directly using its online contact form by following this link: https://www.gov.uk/contact-dfe.

10. What are your rights?

You have specific rights relating to the processing of your data. These are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.
- Have your personal data rectified if it is inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Biometric data, staff have the right to opt out of using their fingerprint to purchase a school meal
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

If you want to request access to the personal information we hold about you, please contact the school's data protection officer.

If you are concerned about the way we are collecting or using your information, please raise your concern with the school's data protection officer in the first instance. You can also contact the ICO at https://ico.org.uk/concerns.

11. How to withdraw consent and lodge complaints

Where our school processes your personal data with your consent, you have the right to withdraw your consent at any time.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the data protection officer.

12. Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The school will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

13. 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**:

- Mr A Freeman email: dpo@shirley.croydon.sch.uk

We want all at SHS to believe in and maintain the values of our school:

