



**Hazel Oak School**  
A Business & Enterprise College

## Privacy Notice for Staff 2023

On 25 May 2018 European General Data Protection Regulations was replaced by the Data Protection Act 1998.

How we use school workforce information

Under General Data Protection Regulations (GDPR) individuals have a right to be informed about how the school uses any personal data that we hold about them, what we use it for, who we share it with, and for how long we keep it.

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, Hazel Oak School, are the 'data controller' for the purposes of data protection law. Our data protection officer is Ellen Barrett.

### **1. The categories of school workforce information that we collect, process, hold and share include:**

- personal information (such as name, 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)
- Record of any known disability

### **2. Why we collect and use this information**

We use school workforce data to:

- Facilitate safe recruitment

- Support the effective performance management of staff
- Improving the management of workforce data across the sector
- Enabling the development of a comprehensive picture of the workforce and how it is deployed
- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring
- enable individuals to be paid

### 3. The lawful basis on which we process this information

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

#### *Article 6*

*1. Processing shall be lawful only if and to the extent that at least one of the following applies:*

*(c) Processing is necessary for compliance with a legal obligation to which the controller is subject;*

#### *Article 9 1.*

*1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.*

*2. Paragraph 1 shall not apply if one of the following applies:*

*(j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.*

Education Act 2005 sections 113 and 114 - is a statutory requirement on schools and local authorities for the submission of the school workforce census return, including a set of individual staff records.

### 4. Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

## 5. Storing this information

At Hazel Oak School we hold school workforce data for the duration of the post-holder's contract, plus an additional six years after the leaving date.

Right to Work information is stored for two years after the leaving date.

## 6. Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

## 7. 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)**

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.

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

## 8. Data collection requirements

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 <http://www.gov.uk/education/data-collection-and-censuses-for-schools>

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.

For more information about the department's data sharing process, please visit: [www.gov.uk/data](http://www.gov.uk/data)

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

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Ellen Barrett, School Business Manager.

You 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;
- claim compensation for damages caused by a breach of the Data Protection regulations

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 [ico.org.uk/concerns](http://ico.org.uk/concerns)

## 10. Further information

If you would like to discuss anything in this privacy notice, please contact:

Ellen Barrett  
Business Manager  
Hazel Oak School  
Hazeloak Road  
Shirley  
Solihull, B90 2AZ

For more information about how the LA stores and uses the information we pass to them, please contact Education Information Management Services

Tel: 0121 704 8313

Email: [eims@solihull.gov.uk](mailto:eims@solihull.gov.uk)

For more information about how the DfE stores and uses information about staff, you can visit the following website or contact them at the details below:

[www.gov.uk/data](http://www.gov.uk/data)

Tel: 0370 000 2288

Contact form: [www.gov.uk/contactdfe](http://www.gov.uk/contactdfe)