

Ladysmith Federation

Privacy Notice: Employee Information

1. What do we collect and why do we need it?

- name
- date of birth
- home address
- email address
- telephone number
- gender
- car registration number
- recruitment information (e.g. job application; qualifications and training and education information)
- right to work evidence
- employment and safeguarding checks (Disclosure and Barring Service information)
- references
- contract and employment information (e.g. start dates, hours worked, post, roles, salary information, appraisal and disciplinary information)
- next of kin and emergency contacts
- images (these may be captured during official school photos; class work; activities, performances or on school CCTV)
- details about equipment assigned to an employee
- religious or other beliefs
- ethnicity
- allegations or concerns about child protection or safety
- work absence (such as the number of absences and their reasons, fitness to work and occupational health information)
- fingerprints
- disability, health and dietary information
- Disclosure and Barring Service information
- facial photograph for use on identification badges
- bank account details
- pension and tax information
- National Insurance Number

We need this information to:

- recruit, retain, train, appraise, manage the welfare and performance of staff
- enable individuals to be paid, pension contributions made, and tax and NI deducted
- undertake our responsibilities for safeguarding children
- provide employee services and benefits (such as childcare vouchers and pensions)
- enable the development of a comprehensive picture of the workforce and how it is deployed
- communicate with employees regarding work related matters
- comply with the law regarding data sharing
- maintain staff records
- provide library, ICT, learning and information services

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- assess the quality of our services
- assist in the prevention and detection of crime
- promote the school and its activities
- carry out audits (e.g. to ensure compliance with our legal obligations)
- deal with complaints, grievances and disciplinary action
- complete DfE school workforce census
- administer school trips and activities
- monitor and comply with our responsibilities under the Equality Act 2010
- ensure staff and student safety and security
- provide catering and payment services
- safeguard and monitor the health and welfare of our employees
- pay our employees and make the approximate tax deductions and contributions

2. Who do we share data with and why?

Department for Education

We are required to share workforce information (this is known as the workforce census) with the DfE, so they can fulfil their statutory obligations relating to data collection. 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.

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>.

The DfE 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. For information about how the DfE collects and shares workforce data for research purposes, visit their website at

<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

Our local authority

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

3. What is our legal basis for processing employee data?

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When processing personal data about our employees, we rely on the following legal bases, which are set out in Article 6 of the UK GDPR:

- it is necessary for us to perform a task carried out in the public interest or in the exercise of our official duties
- it is necessary for us to comply with a specific legal obligation
- it is necessary for the performance of a contract to which the data subject is party, or in order to take steps at the request of the data subject, prior to entering into a contract
- the data subject has given us their consent
- it is necessary to protect the vital interests of a person

When we process 'special' data about our employees, we rely on one or more of the following legal bases as well, which are set out in Article 9 of the UK GDPR:

- the data subject has given us their explicit consent
- it is necessary for us to carry out our obligations and exercise our or the data subject's specific rights relating to employment, social security and social protection law
- processing is necessary to protect the vital interests of a person where the data subject is physically or legally incapable of giving consent
- it is necessary for the establishment, exercise or defence of a legal claim
- it is necessary for the assessment of the working capacity of an employee
- processing is necessary for reasons of substantial public interest

Other legal bases listed in Article 9 of the UK GDPR may also apply, depending on the processing required.

4. What are your data protection rights?

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

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Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school data lead at ewills@ladysmithfederation.net. If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns>

You are not required to pay a charge for exercising your rights and we have one month to respond to you.

If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (Pupil Information) (England) Regulations 2005. We will respond to these types of requests within 15 working days (i.e. days when the school is open).

Please email us at ewills@ladysmithfederation.net if you would like to make a request or complaint or contact the school office on 01392 271596 (Infant and Nursery) or 01392 255554 (Juniors).

Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

If you have any queries about this privacy notice, or the way your personal information is being handled by the school, contact our Data Protection officer:

Annette Henry

Email: schooldataprotection@devon.gov.uk