



Privacy notice for the school workforce

Date:	September 2022
Date approved by Management Committee:	
Signature of Chair of Management Committee:	
To be reviewed:	Every three years

Contents

1. Introduction	3
2. The personal data we hold	3
3. Why we use this data	3
4. Our lawful basis for using this data.....	4
5. Collecting this data	Error! Bookmark not defined.
6. How we store this data	Error! Bookmark not defined.
7. Who we share data with	Error! Bookmark not defined.
8. Your rights	Error! Bookmark not defined.
9. Complaints	Error! Bookmark not defined.
10. Contact us.....	Error! Bookmark not defined.

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**.

We, the Link School Sunderland, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is the Data Protection Team, Sunderland City Council (see 'Contact us' below).

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- 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
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Sickness records
- Photographs and CCTV images captured in school
- Trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils

- c) Support effective performance management
- d) Inform our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

For the purposes of, in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school:

For the purposes of, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law:

For the purposes of, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data

For the purposes of, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

For the purposes of, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us

For the purposes of, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

4.1 Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

We have obtained your explicit consent to use your information in a certain way

We need to use your information under employment, social security or social protection law

We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

The information has already been made obviously public by you

We need to use it to make or defend against legal claims

We need to use it for reasons of substantial public interest as defined in legislation

We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law

We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law

We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

We have obtained your consent to use it in a specific way

We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

The data concerned has already been made obviously public by you

We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims

We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

Local councils

Government departments or agencies

Police forces, courts, tribunals

6. How we store this data

We keep personal information about you while you're attending our school. We may also keep it beyond your attendance at our school if this is necessary. Our Record Management Policy sets out how long we keep information about pupils. A copy of this policy is available by contacting the school office.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it.

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

Together for Children and Sunderland City Council Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions

Government departments or agencies

Ofsted

Suppliers and service providers eg Catering, off site education providers:

Financial organisations

Our auditors

Survey and research organisations

Health authorities

Security organisations
Health and social welfare organisations
Professional advisers and consultants
Charities and voluntary organisations
Police forces, courts, tribunals

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please let us know first.

Alternatively, you can make a complaint to the Information Commissioner's Office:

Report a concern online at <https://ico.org.uk/make-a-complaint/>

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Director of Finance and Premises:

➤ Caroline Granton caroline.granton@schools.sunderland.gov.uk

Our data protection officer is:

➤ Data Protection Department Sunderland City Council

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

➤ Caroline Granton caroline.granton@schools.sunderland.gov.uk