

prepared with reference to

- 2015 DFE publication Information sharing, advice for practitioners providing safeguarding services to children, young people, parents and carers
- Subject access code of practice version 1.2
- Education Act 1996. The EU general data protection regulation 2016/679
- Articles 6 and 9 of the GDPR
- <https://www.gov.uk/education/data-collection-and-censuses-for-schools>
- <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
- section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- DFE Information sharing in Schools and colleges July 2018
- Keeping children safe in education Sept 18
- DFE Working together to safeguard children July 2018

This policy and procedure is compulsory for all Iona School employees and contract staff.

The Iona School is committed to being a responsible user of personal data and compliance with this procedure and other relevant procedures related to your job will ensure that we all meet our obligations under the Act. If you are unsure as to the application of this procedure to the information you hold as part of your job, you should contact the School Manager for further guidance.

This procedure does not form part of your contract of employment and does not give rise to any contractual rights to you. The Iona School may issue further guidance or make amendments to this procedure from time to time.

The aim of this procedure is to assist the school to meet its obligations under the data protection requirements and to regulate its use of information relating to employees and others who work for it. For ease of reference, the procedure refers to 'employees' but it applies equally to others working for The Iona School.

The Iona School's Obligations

We will ask each employee to consent to the Association's processing of information relating to him/her in line with the provisions set out in this procedure. 'Processing' is the term used in the Data Protection Act to refer to the collection, use disclosure, holding and erasure of information. It is therefore important for you to read the rest of this procedure to ensure that you are aware of the nature of the information that the Association holds about employees and the reasons for the Association needing to process this information.

Nature of Employee information

Personal information held is held on personal files and databases, which are kept securely within the School. The categories of information held on personal files may include, amongst other items your address and contact details, marital status, details of salary and benefits, bank details and other College details.

Obviously it is not possible to list every type of information which may be held by the Association about every employee and so these are only examples of the usual type of information and do not constitute an exhaustive list. This sort of information is known as 'personal data' under the Data Protection Act.

The Act also recognises a category of information known as sensitive personal data. Sensitive personal data is information which relates to racial or ethnic origin, political opinions, religious beliefs, trade union memberships, physical or mental condition, sex life, any criminal offence or related proceedings. The most likely information which the association collects and processes on your behalf, which falls into this category, is information relating to your health. The purpose of keeping this information is to administer Statutory Sick Pay, monitor and manage sickness absence and to comply with health and safety obligations and the Disability Discrimination Act 1995.

Keeping Employee Information

Access to personal files is limited to the School Administrator, and, in some circumstances Trustees.

The Association will take steps to ensure that the employee information it holds is accurate and up-to-date. The Association will also take steps to ensure that it does not keep any information about employees for longer than is necessary. It may, for example, keep details of employees for a reasonable time after they have left the Association's employment in order to ensure that benefits have been properly administered, to give references if requested to do so, to ensure that Associations tax obligations have been satisfied and to deal with any tribunal or other court proceedings.

Transfer of Employee Information

The Association may make some information about employees available to legal and regulatory authorities (such as the Inland Revenue), accountants, auditors, lawyers and other outside professional advisers and product service providers. In this case the Association will ensure that the recipients of the information comply with the contents of this procedure.

Your rights under the Data Protection Rules

The Data Protection Act gives employees (and anyone else about whom personal data is held) specific rights in relation to the information that is held about them. Some of these rights are summarised below, but if you would like any further information, please contact the School Administrator.

Under the Data Protection Act you are able to:

- Obtain confirmation that the Association holds personal information about you, as well as a written description of the information, the purposes for which it is being used, the sources of the information and the details of any recipients.
- Access the personal information which is held about you. It is important to note that this is not an absolute right to review all the information that is held about you, as there are various exceptions to this right contained in the Data Protection Act. One of the most important exceptions is that you may not be able to access the information about you if this would reveal some personal information about someone else.
- In certain circumstances you can ask for the deletion or rectification of information which we hold about you which is not accurate.

If you wish to see your personal data held by ABA, please contact the School Administrator.

Your Responsibilities under the Data Protection Rules

As well as having rights under the Data Protection Act, you should comply with the data protection rules set out in this procedure.

Your Personal Information

In order to assist the Association in ensuring that your personal information is kept up to date you should inform the School Administrator of any changes in the following information:

- Address and other contact details;
- Emergency contact name;
- Bank account details;
- Marital status

Other People's Personal Information

If, as a part of your job, you hold any personal information about the Association's employees or about anyone else, then you need to take steps to ensure that you are following guidelines set out below:

Please note that the following guidelines apply equally to documents containing personal information, which are kept in files, as well as information which is kept on a computer database.

- All personal information must be kept securely and remain confidential
- You should not keep personal information about people which you no longer need or which is out of date or inaccurate. You should therefore review any personal information that you hold from time to time, bearing these principles in mind.

Privacy Notice (How we use school workforce information)

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)
- Medical information
- addresses
- payroll information
- criminal activities (staff discrimination disclose)
- overseas checks
- DBS

Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- ensure that DFE/ISS/Ofsted regulations are met

The lawful basis on which we process this information

We process this information under **must include a basis from Article 6, and one from Article 9 where data processed is special category data from the GDPR from 25 May 2018]**

(Departmental Censuses) is the Education Act 1996 – this information can be found in the guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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.

Storing this information

We hold school workforce data for [schools/ local authorities need to include the length of time for which the personal data will be stored]

Who we share this information with

We routinely share this information with:

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

Privacy notice

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 pupils with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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

To contact the department: <https://www.gov.uk/contact-dfe>

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 the school 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; and
- 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 <https://ico.org.uk/concerns/>

Further information

If you would like to discuss anything in this privacy notice, please contact the school manager

Issue date

This policy takes effect from April 2010

Review date

This policy will be reviewed and revised by the school manager on an annual basis.

Endorsement

Full endorsement to this policy is given by:

Name: Mr Martin Taylor
Position: Iona School Trustee
Signed: 
Date: 05/09/18

Related documents:

- DBS policy
- data protection policy parents

The Iona School & Nursery