

St Francis School and Nursery Privacy Notice Staff Information

for those employed to teach or otherwise engaged to work at St Francis School and Nursery

The Data Protection Act 1998 and GDPR 2018: How we use your information

St Francis Primary School and Nursery processes personal data relating to those we employ to work at, or otherwise engage to work at, our school. The lawful basis for processing this information is the fulfilment of an employment contract with the school, to allow individuals to be paid and to assist in the running of the school. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling 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; and
- supporting the work of the School Teachers' Review Body

This personal data includes:

- full name
- address
- telephone numbers
- email address
- National Insurance number
- ethnic group
- religion
- employment contracts
- remuneration details
- qualifications
- absence information.

The information is stored as paper records which are kept in a lockable filing cabinet in a lockable cupboard in the School Office, which is also lockable. The electronic files are stored securely on the St Francis server and on OneDrive. The database supplied and managed by Capita called SIMs is used to manage the electronic data and is subject to Capita's data protection provisions and retention guidelines.

St Francis will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- Swindon Borough Council
- the Department for Education (DfE)

The retention period for staff personal files (electronic and paper) is seven years after the individual leaves St Francis after which time paper records are shredded and electronic records are deleted.

If you require more information about how St Francis and/or DfE store and use your personal data please visit:

- St Francis Primary School website for our policies
- <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Requesting access to your personal data

Under data protection legislation, every individual has the right to request access to information about them that we hold. To make a request for your personal information please contact the Office at St Francis School.

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

Every individual has the right to complain to the ICO (information Commissioner's Office) if unhappy with the way their personal data is being processed by St Francis School. The ICO can be contacted at <https://ico.org.uk/concerns/handling>

If you would like to see a copy of information about you that we hold, please contact the school office.

Processing Sensitive Information

Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to ensure that the school is a safe place for everyone. Because this information is considered sensitive under the 1998 Act and GDPR, staff (and parents/carers of pupils where appropriate) will be asked to give their express consent for the school to process this data.

An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

Publication of School Information

Certain items of information relating to school staff will be made available via searchable directories on the public web site, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with the school.

Personal data

Definitions of personal data are highly complex, and it is difficult to define categorically. However, broadly speaking and in day-to-day use, 'personal data' is information which relates to a living, identifiable individual.

In the context of this document and the school's requirement to process 'personal data' as part of its duty of care and to educate its pupils, 'personal data' may include:

- school admission and attendance registers;
- a pupil's curricular records;
- reports to parents on the achievements of their children;
- records in connection with pupils entered for prescribed public examinations;
- staff records, including payroll records;
- pupil disciplinary records;
- personal information for teaching purposes;
- records of contractors and suppliers.

If it is necessary for the school to process certain personal data to fulfil its obligations to pupils and their parents or guardians, then consent is not required. However, any information which falls under the definition of personal data, and is not otherwise exempt (see below), will remain confidential. Data will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

Sensitive data may include:

- ethnic or racial origin
- political opinions
- religious beliefs
- other beliefs of a similar nature
- membership of a trade union
- physical or mental health or condition
- offence or alleged offence
- proceedings or court sentence

Where sensitive personal data is processed by the school, the explicit consent of the appropriate individual will be required in writing.

Under the 2018 GDPR, children are classed as ‘vulnerable individuals’ requiring special protection for their personal information. Being a primary school, St Francis will seek authorisation from parents/carers for the processing of their children’s data as a child under the age of 13 cannot legally give consent.

However, children have the same rights as adults over their personal data. These include the rights to access their personal data; request rectification; object to processing and have their personal data erased.

Third parties

Where the school uses a third-party organisation and personal data is shared it is incumbent on St Francis to ensure that the 3rd party is compliant with the GDPR. Part of this means reviewing their data protection and security statements. (Copies of these can be found in the Personal Data Management and Security Policy).

When processing personal information shared by St Francis the 3rd party must:

- only act upon written instructions from St Francis
- ensure that their own staff are subject to a duty of confidentiality
- take appropriate measures to ensure the security of the data/processing
- not share the data any further
- allow subject access
- immediately alert the school to any data protection breaches
- delete or return all personal data at the end of the contract/agreed works

‘Processing’ can simply mean producing a list of participants and using it to schedule an event.

(See Personal Data Management and Security Policy for details of third party security/GDPR statements)