



## Privacy Notice (How we use workforce information)

### **General Notice from the LA:**

*'Privacy notice' has replaced the term 'fair processing notice'. The Department for Children, Schools and Families (DFE) has reviewed the process of issuing privacy notices. In the past, the suggested text has included the use of school information made available by the LA or the DFE. However, the new process will mean much simpler privacy notices, where details of any organisations with which the LA and DFE share data, are on the LA and DFE websites, with links from the privacy notices.*

*Privacy notices do not need reissuing on an annual basis. Our new approach is that a single, short and easily understandable privacy notice can be provided to pupils and staff by the school at the same time as other communications. This might include a school brochure or induction pack for students and staff, or even something posted on the notice board for staff.*

*It is anticipated that staff, and young people over 12 should be able to request to see their personal information under the Subject Access Provisions (S.7) of the Data Protection Act.*

*For young people under 12, their parents will act on their behalf and the school, as data controller, will assess whether the child is capable of understanding the personal information, and decide whether the parent needs to make the request on the child's behalf.*

### **The categories of information that we process include:**

These include:

- personal information (HCPC number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, FTE, role)
- work absence information (such as number of days missed due to sickness absence)
- qualification level
- medical information
- payroll information
- addresses

This list is not exhaustive, to access the current list of categories of information we process please see our website or contact the main office at [admin@freshstepsindependentschool.org.uk](mailto:admin@freshstepsindependentschool.org.uk) for a printed copy.

### **Why we collect and use workforce information**

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) improve the management of workforce data across the sector

- c) inform the development of recruitment and retention policies
- d) enable individuals to be paid
- e) enable monitoring of selected protected characteristics
- f) monitor staff fitness to work with vulnerable pupils

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- for the purposes of legal obligation in accordance with the legal basis that the processing is necessary to comply with the law
- for the purposes of public task in accordance with the legal basis that the processing is necessary to perform a task in the public interest and for our official functions
- for the purposes of a contract in accordance with the legal basis that the processing is necessary for a contract with the individual

In addition, concerning any special category data:

- processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim, and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes, and that the personal data are not disclosed outside that body without the consent of the data subjects.

## Collecting workforce information

We collect personal information via:

- Application forms
- Supporting documents for applications
- Contracts and agreements
- Questionnaires and other forms

Workforce data is essential for the local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

## Storing workforce information

The Data Protection Act 2018 adopts the General Data Protection Regulation (GDPR) principle of 'storage limitation', which requires that personal data should be kept for no longer than is necessary for the purpose for which the data are processed. The legislation does not impose specific limits or prescriptions on periods of retention for any data.

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule please contact the main office at [admin@freshstepsindependentschool.org.uk](mailto:admin@freshstepsindependentschool.org.uk).

## Who we share workforce information with

We routinely share this information with:

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

## Why we share workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

### Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our workforce with the Department for Education (DfE) for the purpose of those data collections, under:

We are also required to pass information about our child and family social work workforce employees to the Department for Education (DfE) through regulations under [Section 83 of the Children Act 1989](#).

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 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 [admin@freshstepsindependentschool.org.uk](mailto:admin@freshstepsindependentschool.org.uk)

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on February 2021.

## Contact

If you would like to discuss anything in this privacy notice, please contact: [admin@freshstepsindependentschool.org.uk](mailto:admin@freshstepsindependentschool.org.uk) for the attention of the data controller.

## How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs government policy on matters related to child and family social workers
- may be used to inform the distribution of funding
- supports 'longer term' research and monitoring of children's social care policy

## Data collection requirements

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/guidance/childrens-social-work-workforce-census-guide-to-submitting-data>

## Sharing by the Department

The Department may share information about 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 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.

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