

General Data Protection Regulations (GDPR) - PRIVACY NOTICE

for

Kendrick School Staff

July 2021

Introduction

This notice is to help you understand how and why we collect your personal information and what Kendrick School does with that information. It also explains the decisions that you can make about your own information. Kendrick School is the data controller of the personal information you provide to Kendrick School. This means the school determines the purpose for which, and the manner in which, any personal data relating to its workforce, including students and their families, is to be processed.

What is personal information?

Personal information is information that Kendrick School holds about you and which identifies you. The categories of school workforce information that Kendrick School collects, processes, holds and shares 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)

Collecting Information

We use school workforce data to:

- Enable the development of comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid

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.

Kendrick School collects this information to help the school run effectively and efficiently and provide a safe environment. In addition:

- We report some of your information to the government e.g. DfE UK Visas and Immigration Control
- Occasionally we may use consultants, experts and other third party advisers to assist the school in fulfilling its obligations. We might need to share your information with them if this is relevant to their work.
- We will monitor your use of web browsing, the internet and mobile electronic devices e.g. iPads to comply with the school's E-Safety Policy when using this technology.
- We may use photographs or videos for the school's website and social media sites or prospectus. We may continue to use these photographs and videos after you have left the school. Sometimes we use photographs and videos for teaching purposes.
- We publish news on the website and put articles and photographs in the local news to inform the public about our activities.
- We will process financial information relating to you for contractual reasons, pension returns etc.

Storing Information

We hold staff data using the guidelines set out in the Information and Records Management policy for Schools document.

Sharing Information

We routinely share personal information with:

- The Department for Education (DfE) for Workforce Census data collection. Kendrick School shares personal data with the Department for Education (DfE) on a statutory basis. The datasharing underpins workforce policy monitoring, evaluation, and links to school funding/expenditure and the assessment educational attainment. We are required to share information about our school workforce with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- Teachers' Pension for teachers' pension entitlements
- Local Government Pension Scheme (Berkshire Pension) for the support staff pension entitlements.
- Alumni - If you are a former employee, student, parent, grandparent or relative of a student and wish to join our alumni programme we will collect personal information such as your contact details (including addresses and phone numbers), information about your current employment and professional qualifications, basic details of your time with us and information about your preferences and engagement with the programme.

Data Collection requirements – Department for Education (DfE)

Kendrick School is legally required to share staff data with the DfE on a statutory basis. This data sharing underpins school's funding and educational attainment policy and monitoring. 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 Student 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 data that we share with them, go to:

<https://www.gov.uk/education/datacollection-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 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 detail 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 DfE's data sharing process, please visit:

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

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

Our legal grounds for using your information

Kendrick School holds the legal right to collect and use personal data relating to its workforce, and we may also receive information regarding its employees from their previous employment, Local Authority and/or the Department for Education. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK Law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of the Education (Information about Individual Students) (England) Regulations 2013

Legitimate interests

This means that the processing of personal data is necessary for appropriate and genuine interests except where the processing is unfair to you. The school relies on legitimate interests for most of the ways in which it uses your information.

Specifically, Kendrick School has a legitimate interest in:

- Providing its staff with a contractual basis of employment
- Safeguarding and promoting the welfare of its workforce
- Promoting the objects and interests of the school
- Facilitating the efficient operation of the school
- Ensuring that all relevant legal obligations of the school are complied with

In addition, personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint.

Legal obligation

Where the school needs to use your information in order to comply with a legal obligation. We may also have to disclose information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital and Public Interests

Kendrick School considers that it is acting in the public interest when providing education. Kendrick School considers it is acting to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious or to prevent someone from being seriously harmed or killed.

Substantial Public Interest

The processing is necessary for reasons of substantial public interest.

Special Categories

Kendrick School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors or insurers.

Kendrick School may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

Medical Purposes

This includes medical treatment and the management of healthcare services. We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information, you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

Third Party Processors

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Kendrick School upholds are imposed on the processor.

Requesting access to your personal information

Under data protection legislation, you have the right to make a subject access request to access information about you that we hold. To make a request for your personal information, contact the school's GDPR Lead.

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 Kendrick School and/or the DfE is collecting or using your personal data, we ask that you raise your concern with the GDPR School Lead in the first instance. Alternatively, you can contact the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday – Friday, 9am – 5pm or <https://ico.org.uk/concerns/>.

Mrs Isabelle Sandy - School Business Manager and GDPR School Lead

