

DATA PRIVACY NOTICE (STAFF) – How we use your personal data

Moston Lane Community Primary School

1. Introduction

Under 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, Moston Lane Community Primary School, Moston Lane, Manchester, M9 4HH, 0161 2053864, admin@mostonlane.manchester.sch.uk, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Nicola Cook, SchoolsDPO Ltd (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
- Contract information
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Copy of Passport
- Car registration number
- Photographs and CCTV images captured in school
- Photograph stored on SIMs, entrance board and website

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
- Race and ethnicity

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 and disability monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body
- i) Safeguarding – who is on site/whose vehicles are on site
- j) To allow parents/carers to know who staff members are from images
- k) Health and Safety of employees
- l) Safeguarding

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information to your school email account promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of a,b,c,d,e,f,g,h,i,l, in accordance with the ‘public task’ basis – we need to process data to fulfil our statutory function as a school as set out here: under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- For the purposes of a,b,d,f,l,k,l, in accordance with the ‘legal obligation’ basis – we need to process data to meet our responsibilities under law as set out here: under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- For the purposes of a, in accordance with the ‘consent’ basis – we will obtain consent from you to use your personal data
- For the purposes of k, l, in accordance with the ‘vital interests’ basis – we will use this personal data in a life-or-death situation
- For the purposes of a,b,c,d,f, 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, including: where you have applied for another position and references are required as part of safer recruitment

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school’s use of your data.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For ‘special category’ data, 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 data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to 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 data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing 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 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 manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

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

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether 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 authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data

We keep personal information about you while you work at our school. We may also keep it beyond your employment at our school if this is necessary. Our retention schedule sets out how long we keep information about staff.

Please contact the school if you wish to see the retention schedule (see contact below).

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

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

What we store	How/Where it is stored
Personnel files	Hard copies are kept securely within a secure room in a locked cabinet Electronic personnel information is stored on the secure admin server in the school MIS You can request to see your personnel files at any time through the Headteacher
Performance management documentation	Electronically on the secure admin drive Hard copies are kept securely within the Headteacher's office You can request to see your performance management at any time through the Headteacher
Attendance information	Electronically on the secure admin drive It is sent to Payroll via a secure link Hard copies are kept within the headteacher's office You can request to see your attendance information at any time through the Headteacher

7. Who we share data with

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

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

- Our local authority, Manchester City Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies, DfE – to meet our legal obligations to share information such as performance data, workforce census - under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- Our regulator, Ofsted - in order to comply with our public task

- Suppliers and service providers - to enable them to provide the service we have contracted them for:
 - One Education, HR, Payroll, Finance
 - Access Education School budget
 - Health and Safety, HSE, Manchester City Council – legal obligation and public task
 - Occupational Health
 - Osborne Data Technologies – Entry Sign system (name only)
 - Group Call Exporter – LunchHound/SIMS link – catering (name only)
 - Governor clerking (minute taking) – One Education
 - East Manchester Teaching School Hub – online support and induction for ECTs
 - School Ping – school messaging service (school email account only)
 - Google – Gmail, Google Classroom, (email account data only – name)
- Financial organisations
 - Great Manchester Pensions Fund
 - One Education – Finance and Payroll
 - Manchester City Council – Finance and Payroll
- Our auditors – to meet our legal obligation, One Education, Manchester City Council may audit the school
- Survey and research organisations – to meet our legal obligation in relation to freedom of information requests
- Health authorities – to carry out our public tasks
- Security organisations – public tasks – name/contact details of key holders
- Health and social welfare organisations – to carry out our public tasks
- Professional advisers and consultants
- Police forces, courts, tribunals – legal obligation e.g. safeguarding, or to carry our public tasks
- The governors – to carry out our public task within the school and remain accountable to them or finance and personnel issues
- Trade unions and associations – in order to carry out public task in the light of any events such as redundancies etc
- Other staff members -to carry out our public tasks, for example having access to your school email address so that information can be shared effectively
- Your family or representatives – to carry out our public task/vital interest in the event of an emergency

7.1 Transferring data internationally

We may share personal information about you with international third parties outside of the European Economic Area, where different data protection legislation applies:

- App or cloud server providers

Where we transfer your personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

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 (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing 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, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to 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 data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office

- Claim compensation for damages caused by a breach of the data protection regulations

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 concern about our data processing, please raise this with us in the first instance.

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 Mrs. Hardwick in the first instance:

Mrs. Hardwick

Headteacher

Moston Lane Community Primary School

Manchester

M9 4HH

admin@mostonlane.manchester.sch.uk

0161 2053864

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department for Education (DfE)

The Department for Education (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 for Education (DfE) 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 the Department for Education (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.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>