



Durham Johnston Comprehensive School

GDPR PRIVACY NOTICE FOR STAFF

How we use school workforce information

The school workforce includes all those employed to teach, or otherwise engaged to work, on a paid, contracted, either agency or voluntary basis.

Introduction

This notice explains how Durham Johnston Comprehensive School handles and uses personal data we collect about the school workforce.

We are committed to protecting your personal information and being transparent about what information we hold. We understand our obligations to you to help you understand how and why we process your personal data.

If you have any questions about this privacy notice then please contact the GDPR Team:

gdpsteam@durhamjohnston.org.uk.

Personal information – what is it?

Personal information is information that relates to a living individual who can be identified from that data. Identification can be made from the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (GDPR) (EU) 2016/679.

Who processes the information?

Durham Johnston is the data controller for the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data is to be processed.

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 Durham Johnston School upholds are imposed on the processor.

How and why do we collect and use personal information?

We use school workforce data to:

- Enable individuals to be paid.
- Facilitate safer recruitment.
- Support effective performance management.
- Enable the development of a comprehensive picture of the workforce and how it is deployed.
- Inform the development of recruitment and retention policies.
- Allow better financial modelling and planning.

Whilst the majority of the personal data you provide to the school is mandatory, some is requested on a voluntary basis.

When collecting data, the school will inform you as to whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

The lawful basis on which we process this information

We process information to meet legal requirements and legitimate interests set out in the following:

- Education Act 1996: processing is necessary for data collection purposes (Departmental Censuses).
- EU general data protection regulation 2016/679 (GDPR) including Article 6 'lawfulness of processing' and Article 9 'Processing of special categories of personal data':
 - Article 6: processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
 - Article 9: processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

What data do we collect?

The information we hold about you is primarily the information provided to us when you apply for your post. This is supplemented by information generated in the course of your employment.

In common with all data subjects:

- Personal information, e.g. name, addresses, date of birth, contact details, next of kin details, NI number, employee / teacher number, car details;
- Personal characteristics, e.g. gender, ethnicity, disability, language, nationality, country of birth and sexuality;
- Information relating to the prevention and detection of crime and the safety of staff and students including, but not limited to, CCTV recordings;
- Proof of identity; copies of passport, driving licence and other documents required to ensure compliance with Home Office and safeguarding requirements.
- Identification photographs / videos.

Particular to DJCS staff:

- Application form, including details of your employment history
- Qualifications
- Professional and character references
- Bank details
- Contract of employment
- Health information
- Sickness absence records
- Performance reviews
- Records of informal and instructional meetings and communications
- Disciplinary, grievance and capability procedures
- Accidents at work
- Training provided

Who do we share information with?

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

The school is required to routinely share information with:

- 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 of educational attainment.

Data Collection requirements

The DfE collects and processes personal data relating to those employed by schools and local authorities (including all maintained schools, all academies, all multi-academy trusts, free schools and all special schools including Pupil Referral Units and Alternative Provisions).

All state funded schools are required to provide a census submission as 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 DfE may share information about school employees with third parties who promote the education or wellbeing 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. There are stringent controls in place regarding access to personal data and its use. Decisions on whether the DfE releases personal data to third parties are subject to a robust approval process and are based upon 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 store and handle the data.

For more information on how this sharing process works, please visit: <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

The school may also be required to share information with:

- NEREO (Disclosure and Barring Service)
- Training course providers
- HMRC / Pension Schemes
- Durham County Council / Human Resources / Payroll / Occupational Health Teams
- Staff Absence Insurance and other insurance providers

At no time will your information be passed to organisations external to us, or our partners for marketing or sales purposes, or for any other commercial use without your prior express consent.

How do we keep information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and the use of your personal information. This includes physical and technical security and integrity of all data:

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without access knowledge (such as a password).
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it.
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

How long is personal information stored?

Personal data is stored in line with the school's retention guidelines, in accordance with the GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as necessary to complete the task for which it was originally collected or to meet statutory requirements for data retention.

Is personal information processed outside the European Economic Community (EEC)?

We do not process your personal information outside the EEC as a rule. Should this change we will advise you of this and request any required consents.

What are your information rights?

You have the right to:

- Be informed about how your personal data is used;
- Request access to the personal data held;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no compelling reason for its continued processing;
- Request that the processing of your data is restricted;
- Object to your personal data being processed;
- Request your information be transmitted in a commonly used and machine-readable format to another data controller;
- Not be subject to automated decision-making including profiling.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time. To do this you can contact the GDPR Team: gdperteam@durhamjohnston.org.uk.

You also have the right to request a copy of the personal data the school holds about you. You might not want all of the personal data that the school holds about you and we may be able to respond more quickly if you explain this and identify the specific data you want.

When making a subject access request (SAR), which can be made verbally or in writing, please include the following information:

- Your name and contact details.
- Any details or relevant dates that will help the school to identify what you want.

We are required to respond within 1 month of your request (and up to 2 months beyond this for very exceptional circumstances) if we cannot respond within 1 month we will write to you to tell you this and explain the reason(s) for it, however our aim is to respond to you within 15 days. We may be able to respond more quickly to your request if you contact us via the following email address: gdperteam@durhamjohnston.org.uk.

The school may need to satisfy itself as to the identity of the person making the request. The requester must provide evidence of their identity, we will ask you to send or bring in proof of ID including proof of address and a recognised form of photo ID (i.e. passport, driving licence).

IMPORTANT INFORMATION

- If you have any questions or queries about the Privacy Notice then please contact the GDPR Team: gdperteam@durhamjohnston.org.uk.
- If you have a concern about the way Durham Johnston School is collecting or using your personal data, you can raise a concern with our Data Protection Officer. To do this you can contact the DPO via: gdperteam@durhamjohnston.org.uk
- If your complaint is not resolved to your satisfaction and you wish to make a formal complaint you can contact the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.
- This Notice is regularly reviewed. This is to make sure that we continue to protect your privacy. We reserve the right, at all times to update, modify or amend the Notice. We suggest that you review the Notice from time to time to ensure you are aware of any changes, however we will not significantly change how we use information you have already given to us without your prior agreement. The latest version of the Notice can be found at www.durhamjohnston.org.uk.