

# Oakwood Infant and Nursery School



## Staff Privacy Notice (Ref No: OAK009/10/2021)

### School Mission Statement

*At Oakwood Infant and Nursery School we provide a safe, healthy, happy and creative learning environment for everyone, through high expectations and mutual respect.*

*We are all stars, watch us shine.*

**Reviewed: 22.10.2020**

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**To be reviewed: 22.10.2021**

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## Staff Privacy Notice

### The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number, tax code)
- special categories of data including characteristics information such as gender, age, ethnic group
- application form, pre-employment checks including record of any meetings eg. Related to capability, disciplinary, ill health etc. procedures including any action taken, whether formal or informal
- copy of accident/incidents to the Health and Safety Executive
- interview letter and interview notes, two references, confirmation of DBS check
- contract information (such as start dates, hours worked, post, roles, proof of identity, verification of right to work in UK and salary information)
- qualifications (and, where relevant, subjects taught and verification of qualification)
- Documents on Personnel file checklist including DBS Children's barred list, SD2 form, DBS consent form, fitness to work declaration (medical clearance), personal information form, letter of appointment, prohibition from teaching (Teachers only), statutory induction, childcare disqualification regulations check, checks on individuals who have lived and worked outside the UK
- payroll documentation including bank details
- addresses and telephone numbers
- address and phone number
- emergency contact details
- employment history
- any disciplinary action taken
- car details
- performance related documents
- record of absence (such as number of absences and reasons) , maternity, paternity, adoption and other leave correspondence, copies of medical certificates, return to work meeting, record of sickness absence, compassionate leave, leave of absence, parental leave

### Why we collect and use this information

We share information to comply with statutory, regulatory and contractual obligations. These may include, but are not limited to:

- improving the management of workforce data across the sector

- enabling development of a comprehensive picture of the workforce and how it is deployed
- pay salaries and pension contributions
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers' Review Body
- comply with guidance such as 'Working Together' and safeguarding obligations

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

## Storing this information

### Information taken from Records Retention Management Policy

#### Section 2: HR Management of the School

2.1 Recruitment					
	Record Type	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the records life
2.1.1	All records leading up to the appointment of a new Headteacher	Yes		Date of appointment + 6 years	SECURE DISPOSAL
2.1.2	All records leading up to the appointment of a new member of staff.	Yes		All the relevant information should be added to the staff personal file (see below) and all other information	SECURE DISPOSAL

				retained for 6 months. Date of appointment of successful candidate + 6 months	
2.1.3	Pre-employment vetting information – DBS checks	No	DBS Update Service Employer Guide June 2014: keeping children safe in education. July 2015 (Statutory Guidance from Dept. of Education) Sections 73, 74	The school does not have to keep copies of DBS certificates. If the school does so the copy must NOT be retained for more than 6 months	
2.1.4	Proofs of identity collected as part of the process of checking “portable” enhanced DBS disclosure	Yes		Where possible these should be checked and a note kept of what has been checked. If it is felt necessary to keep copy documentation then this should be placed on the member of staff’s personal file	
2.1.5	Pre-employment vetting information – Evidence proving the right to work in the United Kingdom	Yes	An employer’s guide to right to work checks [Home Office May 2015]	Where possible these documents should be added to the Staff Personal File [see below], but if they are kept separately the Home Office requires that the documents are kept for termination of Employment plus two years	

## 2.2 Operational Staff Management

	Record Type	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the records life
2.2.1	Staff Personal File	Yes	Limitation Act 1980 (section 2)	Termination of Employment	SECURE DISPOSAL

				+ 6 years	
2.2.2	Timesheets	Yes		Current year + 6 years	SECURE DISPOSAL
2.2.3	Annual appraisal/assessment records	Yes		Current year + 5 years	SECURE DISPOSAL

## 2.3 Management of Disciplinary & Grievance Process

	Record Type	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the records life
2.3.1	Allegation of a child protection nature against a member of staff including where the allegation is unfounded	Yes	"Keeping children safe in education Statutory guidance for schools and colleges March 2015"; "Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children March 2015"	Until the person's normal retirement age or 10 years from the date of the allegation whichever is the longer then REVIEW. Note allegations that are found to be malicious should be removed from personnel files. If found they are to be kept on the file and a copy provided to the person concerned	SECURE DISPOSAL These records must be shredded
2.3.3	Disciplinary Proceedings	Yes			
	Oral warning			Date of warning + 6 months	SECURE DISPOSAL [If warnings are placed on personal files then they must be weeded from the file]
	Written warning – level 1			Date of warning + 6 months	
	Written warning – level 2			Date of warning + 12 months	
	Final warning			Date of warning + 18 months	
	Case not found			If the incident is child protection related then see above otherwise dispose of at the conclusion of the case	SECURE DISPOSAL

2.5 Payroll and Pensions					
	Record Type	Data Protection Issues	Statutory Provisions	Retention Period	Action at the end of the records life
2.5.1	Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI1986/1960), revised 1999 (SI1999/567)	Current year + 3 years	SECURE DISPOSAL
2.5.2	Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	SECURE DISPOSAL

## The lawful basis on which we process this information

We make sure that information we collect and use about our workforce is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the GDPR and the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

## Collecting this information

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.

## Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- payroll

## Why we share school workforce information

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

### 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 educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## Data collection requirements

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 Pupil 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 the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department 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 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.



For more information about the department's data sharing process, please visit:

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

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

## 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 the Headteacher or Personnel Manager.

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 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/>

## Further information

If you would like to discuss anything in this privacy notice, please contact the Headteacher or Personnel Manager.

## The Data Processing Officer for Oakwood Infant and Nursery School is:

**SBM Services (UK) Ltd**  
12 Park Lane Business Centre  
Park Lane  
Langham  
Colchester  
CO4 5WR

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**Telephone:** 01206 671103