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## **GDPR Privacy Notice for Staff and Governors**

**Updated March 2021**

The Data Protection Officer (DPO) for Suffield Park Infant and Nursery School is Miss Lindsay Kerry. It is the DPO's duties to oversee that the staff at our Nursery and School are following General Data Protection Regulations (GDPR).

### **How we use school workforce information**

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

- Personal information e.g. name, date of birth, address, contact details, phone numbers, email addresses, next of kin, emergency contacts, employee/teacher number, photographs for website/notice boards etc.
- Special categories of data including characteristics information e.g. gender, race, ethnicity, religious beliefs, sexual orientation etc. We may collect some information on this.
- Medical information e.g. medical conditions, allergies, medication, GP surgery etc.
- Contract information e.g. start dates, hours worked, job role, salary/pension information, payroll, application form and references, previous employment details, ID requirements, right to work, changes in terms and conditions of employment, exam results, qualifications, bank details)
- HMRC information including tax, national insurance, and salary sacrifice arrangements.
- Maternity, Paternity, Adoption, Parental leave and pay arrangements.
- Individual risk assessments if needed e.g. pregnancy, result of a pandemic, health condition etc.
- DBS checking information.
- Training e.g. courses attended, new qualifications and continued professional development.
- Sickness absence, reason for absence, number of days of sickness, pay records and medical certificates.
- Health and safety e.g. accident/ incident whilst at work, on an educational visit etc.
- Covid-19 Lateral flow-testing results.
- Covid-19 Pandemic - NHS Test and Trace, Public Health England etc. To allow the school to meet Government requirements on maintaining lists of close contacts, isolation requirements, closure of 'Bubbles', and identification and management of outbreaks. For further information on how the NHS use the Test and Trace data and requirements asked of us during the pandemic please see current Government guidelines.
- CCTV footage - as there are cameras placed around school.
- Information about the use of our IT, communications and other systems, and other monitoring information etc.
- Observations of staff, learning walks, performance management targets and reviews, appraisals etc.
- Outcomes from formal processes such as disciplinary, grievance, dignity at work, capability etc.
- Redundancy details and calculations of payments.
- Leaver information.
- **Additional for Governors** e.g. business interests and financial interests - these are recorded when they may lead to a conflict of interest with the school or any of the school's 'partners', governance roles in our and other schools, start and end dates for being a Governor.

- Note; this list is not exhaustive. Please speak to us if you have any further questions.

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

We use school workforce data to help us run the school to:

- Facilitate safe recruitment of Staff and Governors, as part of our safeguarding obligations.
- Enable the development of a comprehensive picture of the workforce (Staff and Governors) and how it is deployed.
- Inform the development of recruitment and retention policies.
- Improve the management of workforce data across the education sector.
- Enable us to meet contractual and legal obligations.
- Maintain accurate and up-to-date employment records of the workforce.
- Allow better financial modelling and planning.
- Enable equalities and equal opportunities monitoring.
- Support the work of the School Teachers' Review Body (Regulatory Body).
- Enabling individuals to be paid.
- Supporting effective performance management and appraisal.
- Ensuring the safe day-to-day running of the setting for Pupils, their Families, Staff, Governors Volunteers and Visitors.
- To monitor the use of the School's IT and communications systems in accordance with the School's Online Safety policy.
- To support Test and Trace during the Covid-19 Pandemic and any other requirements required of us to support this.
- Completing the School Census.
- Provide references on request for current and former employees.
- **Additional for Governors:** To communicate on school business. Provide public record of Governors and their business interests - these are recorded when they may lead to a conflict of interest with the school or any of the school's 'partners'. Enable the school to meet its obligations and legal duties in relation to publishing governance information on GIAS. Provide transparency around governance arrangements. Enable the school and the DfE to identify, with ease, individuals who are involved in governance and who govern at more than one school or within more than one trust. Enable the DfE, when required, to conduct checks on the suitability of governors.

### **The lawful basis on which we use this information**

Under the GDPR, the legal basis/bases we rely on for processing personal information for general purposes are:

- Article 6 of the GDPR (i.e. consent, contract, legal obligation, vital interests, public task, legitimate interests).
- Article 9 of the GDPR where the data processed is 'special category' data where the lawful basis is legal obligation or public task.
- Some of the reasons for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.
- For the purpose of enabling individuals to be paid, in accordance with the legal basis of contract.
- **Additional for Governors:** Governor information is processed as a task in the public interest. For the purpose of keeping pupils safe, in accordance with part three of Keeping Children Safe in Education 2018. [Maintained schools] Governing bodies, under section 538 of the Education Act 1996, have a legal duty to provide the governance information as detailed above.

### **How do we collect your 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.

- We collect your personal information via some of the following methods:
- Contact forms, application forms and references.
- Information provided by DBS checks.
- Information provided by different services e.g. HMRC, Medical (sicknotes for example), training services etc.
- Staff/Governor contract forms.
- Medical forms
- Updating details forms
- Additional for Governors: Record of business interest forms.

### Storing this information

- We hold school workforce data in Personnel Files and securely on the computer, specific websites for the running of the school and educational purposes e.g. Tapestry, Pupil Asset, Maths Whizz etc. for the set amount of time shown in the school's **Records Management Policy**.
- Your information is only used for the purposes directly relevant to your employment.
- There are a few finance applications that are used in school, all of which hold staff data. These are Star Accounts, the Budget Planner, and Sickness Insurance database. Kept up to date and staff removed a term after they have left the school to ensure the data is relevant. All three systems are password protected and use encryption when data is being sent to and from County Hall. Star Accounts finance system; it's regularly edited to remove information that's not relevant or obsolete as required by GDPR. The staffing data that's held in the accounting software and budget planner is also regularly reviewed to ensure no data is held on staff who've left the school.

### Who we share this information with and why

- We do not share information about you with any third party without your 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 -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.
- The 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.
- Third-party service providers (where a contract exists) in order to fulfil contractual obligations (such as payroll) or where a service is being used in the operations of the school (such as parent communication applications, educational websites).
- Your family or representatives- to carry out our public task in the event of an emergency.
- Other staff members and Governors- to carry out our public tasks and duties for school, for example having access to your contact details so that information can be shared effectively.
- Our regulator Ofsted, in order to comply with our public task.
- Central and local government to complete the legal obligation for things such as the workforce census.
- Auditors- coming under a legal obligation.
- Survey and research organisations- to meet our legal obligation in relation to 'freedom of information' requests.
- Trade unions and associations- to carry out our public task in light of any key discussions within school linked to disciplinary/capability procedures or for events such as redundancy.

- Security organisations- in order to keep our school secure and under the lawful basis of public task, we pass on certain staff member information so that they can be contacted if necessary (such as the caretaker).
- Health and social welfare organisations to carry out our public task in line with our attendance management policy and with organisations such as occupational health etc.
- We may need to share your information as a result of a health and safety incident or in the investigation of a crime.
- Police forces, courts, tribunals- to meet our legal obligations to share certain information with it, such as safeguarding concerns or to carry out our public task in relation to a tribunal etc.
- Employment and recruitment agencies- to meet the public task of supplying requested references.
- NHS Test and Trace Programme during COVID-19 Pandemic.
- Additional for Governors: We will publish the names, business interests, financial interests and governance roles of governors in other schools on the school website. Governor data required by the DfE is entered manually on the GIAS system and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework.
- Note; this list is not exhaustive. Please speak to us if you have any further questions.
- The recipient of the information is bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

### How does the government use your data?

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

- Informs the DfE's 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.

You can find more information about the data collection requirements placed on us by the DfE by following this link <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share your information with third parties who promote the education or wellbeing of pupils or the effective deployment of staff by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure that the confidentiality of personal information is maintained and there are controls in place regarding access to and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information?
- The purpose for which the information is required.
- The level and sensitivity of the information requested.
- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

### How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.

- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.
- To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:  
<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>
- To contact the department: <https://www.gov.uk/contact-dfe>

### **What are your rights?**

You have specific rights to the processing of your data, these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Have your personal data rectified if it's inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.
- Seek compensation, either through the ICO or the courts.

### **How to withdraw consent and lodge complaints**

- If you need to withdraw consent or are unhappy with how the Nursery/School collects or uses your personal data, you should let us know in the first instance by contacting Miss Lindsay Kerry (DPO).
- You can raise a concern with the Information Commissioner's Office (ICO).  
<https://ico.org.uk/concerns/>.

### **How can you find out more information?**

If you would like to discuss anything in this privacy notice, please contact Miss Lindsay Kerry (DPO). If you require further information about how we and/or the DfE store and use your personal data, please visit the Gov.UK [website](#), or ask for a copy of our **Data Protection Policy** and **Records Management Policy**.