

Include Wales

WORKFORCE PRIVACY NOTICE

You have a legal right to be informed about how Include Wales uses any personal information that we hold about you. To comply with this, we provide a “privacy notice” to you where we are processing your personal data. This privacy notice explains how we collect, store, and use personal data about the school workforce.

- Catch22 is the “data controller” for the purposes of data protection law.
- The Data Protection Officer for Catch22 is Beverley Clark, and can be contacted on DPO@Catch-22.org.uk or 07879 422664

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 and gender.
- Next of kin and emergency contact numbers.
- Salary, annual leave, pension, and benefits information.
- Job title, role, responsibilities, and remuneration.
- 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 an application 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.
- Performance information.
- Outcomes of any disciplinary, grievance procedures and/or LADO investigations.
- Outcomes of any capability, either absence, performance or both, procedures.
- Absence data.

- Copy of photographic identification.
- Photographs and videos.
- Staff identifiers such as IP address, staff number, payroll number, entry fobs.
- CCTV footage.
- Data about your use of the school's information and communications system. Child protection and safeguarding information.

We may also collect, store, and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs.
- Trade union membership.
- Health, including any medical conditions, disability and sickness information and records.

Why do we collect and use personal information?

We use workforce information to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Maintain safety of staff and pupils
- Enable individuals to be paid
- To meet statutory reporting obligations including to HMRC
- Enable effective protection of the health, safety, and wellbeing of individuals

The lawful basis on which we use this information

We process this information under:

- UKGDPR Article 6-1 (b) Contract - e.g. the employment contract
- UKGDPR Article 6-1 (c) Legal Obligation –
 - The Education Act (various years)
 - The Education (Pupil Registration) (England) Regulations
 - The School Standards and Framework Act 1998
 - The School Admissions Regulations 2012
 - Children and Families Act 2014
 - The Special Educational Needs and Disability Regulations 2014
 - Employment Rights Act 1996
 - Equality Act 2010

➤ Limitation Act 1980

Certain special characteristics are processed under UKGDPR

- UKGDPR Article 9-2 (a) Explicit Consent
- UKGDPR Article 9-2(b) Employment, social security, and social protection law

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 we have obtained consent to use your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

In the event that in future, we intend to process your personal data for a purpose other than that which it was collected we will provide you with information on that purpose and any other relevant information.

Collecting this information

Whilst much 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.

Storing data

Your personal information will be held in a number of places where it is relevant and appropriate to do so e.g., Bound & Numbered Book and/or SIMS when an entry is made. We will store this information alongside your other personal data on the Catch22 HR Database iTrent <https://www.mhr.co.uk/privacy-policy/> and CPOMS StaffSafe <https://www.cpoms.co.uk/privacy-statement/>.

Catch22 will retain your information as detailed in the Catch22 Data and Record Management Retention Schedule available on 4policies.

Who will we share workforce information with?

We routinely share your information with:

- The Department for Education (DfE)
- Respective local authorities
- Other Central Government departments
- Catch22 associated companies

- Funding / grant organisations as required
- Research and reporting organisations

Why we share information

We may transfer information about you to other Catch22 group companies for purposes connected with your employment or the management of the company's business.

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so e.g. where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to our external pension or health insurance schemes.

Local authority

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.

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.

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 them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact Beverley Clark, Catch22 Data Protection Officer at DPO@catch-22.org.uk

You also have the right, subject to some limitations to:

- Object to the use of personal data if it would cause, or is causing, damage or distress.
- Prevent it being used to send direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- A right to seek redress, either through the ICO, or through the courts.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:
The Data Protection Officer, Catch22, on DPO@Catch-22.org.uk

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated January 2021.