



Our Aim is as simple as **ABC**  
*Achieving, Belonging, Caring*

---

## **Privacy Notice for Staff – How we use your information 2021**

---

### **Who are we?**

Cubbington C of E Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Cubbington C of E Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z6281335

You can contact the school as the Data Controller in writing at: [head3144@welearn365.com](mailto:head3144@welearn365.com)

### **What is a Privacy Notice?**

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our staff.

### **What is Personal Information?**

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### **What personal information do we process about staff?**

The categories of staff information that we collect, hold and share include:

- personal information such as name, address, next of kin, employee or teacher number and national insurance number;
- special categories of data including characteristics information such as gender, age, ethnic group, marital status;
- contract information such as start dates, hours worked, post, roles and salary information, bank details, work eligibility and employment checks ;
- work absence information such as number of absences and reasons;
- qualifications and, where relevant, subjects taught;
- appraisal and performance management information.

### **For what purposes do we use personal information?**

We use staff data to:

- develop a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- enable individuals to be paid and receive other staff benefits;
- manage staff performance and carry out job related appraisals;
- ensure that we can act in an emergency.

## **Collecting staff information**

Whilst the majority of staff information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain staff information to us or if you have a choice in this.

## **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

### **1) To comply with the law**

We collect and use general purpose staff information in order to meet certain legal requirements and legal obligations placed upon the school by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

### **4) To perform a public task**

It is a day-to-day function of the school to ensure that staff members receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

### **5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract**

We are able to process personal information in order to comply with the contract that we have with you.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Appendix 5.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

## **Special category personal information**

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject

- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

### **Who might we share your information with?**

We routinely share staff information with:

- our local authority
- HR and Payroll
- HMRC
- the Department for Education (DfE)
- SIMS
- Parent Pay
- Parents Evening Booking System
- SeeSaw
- Evolve
- Class Dojo
- Pupils, staff and parents
- Website
- NHS
- Public Health and other public health agencies

We do not share information about our staff unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

### **Covid-19 – Data Collection Requirements:**

It may be necessary for us to share limited information with the Department of Public Health if an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak.

### **Testing in schools**

To enable lateral flow testing in schools, we need to process personal data of individuals taking part. For information on the data processed in relation to testing in schools, please refer to the privacy information provided by the DfE and published on our website

### **What do we do with your information?**

All personal information is held in a manner which is compliant with Data Protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

### How long do we keep your information for?

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

### Transferring data internationally

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

### What are your rights with respect of your personal information?

Under data protection law, staff members have the right to request access to information about them that we hold. To make a request for your personal information contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**\*\*Please ensure you specify that your request relates to Cubbington C of E primary School\*\*.**

**In certain circumstances** where the school processes data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school to inform them of their reasons for their objection. The school will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

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, 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/>

### Review

The content of this Privacy Notice will be reviewed in March 2021

**Table 1** – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal Info - Surname & Forename, Gender, Job Title	Education Act 2005, section 114 and accompanying regulations		HR & Payroll, School Staff, Pupils & Parents DFE	Education Act 2005, section 114

Date of birth	Education Act 2005, section 114 and accompanying regulations		HR & Payroll, HR & Payroll	Education Act 2005, section 114
National Insurance Number	Education Act 2005, section 114 Pensions Act 2008, Section 3		DFE, HR & Payroll, Pension Provider	Education Act 2005, section 114 Pensions Act 2008, Section 3
Pay	Minimum Wage Act 1998, section 9 Employment Rights Act 1996, section 1		HR & Payroll	Minimum Wage Act 1998, section 9 Employment Rights Act 1996, section 1 Income Tax (Earnings and Pensions) Act 2003 and Income Tax (Pay As You Earn) Regulations 2003
Pension	Pensions Act 2008 Employment Rights Act 1996, section 1		HR & Payroll, Pension Provider	Pensions Act 2008
Student Loan Information	The Education (Student Loans) (Repayment) Regulations 2009, Part 4		HR & Payroll, HMRC, Student Loans Company	The Education (Student Loans) (Repayment) Regulations 2009 Part 4
Tax and NI Information	Income Tax (Earnings and Pension) Act 2003 and Income Tax (Pay As You Earn) Regulations 2003 Social Security Contributions and Benefits Act 1992		HR & Payroll, HMRC	Income Tax (Earnings and Pension) Act 2003 and Income Tax (Pay As You Earn) Regulations 2003 Social Security Contributions and Benefits Act 1992
Overtime sheets and expense forms	Minimum Wage Act 1998, section 9 and accompanying regulations		HR & Payroll	Working Time Regulations 1998
Start Date	Education Act 2005, section 114 Employment Rights Act 1996, section 1		HR & Payroll, DFE	Education Act 2005, section 114
Qualifications	Education Act 2005, section 114 Education Act 2002, section 133		HR & Payroll, Teaching Regulation Agency, DFE	Education Act 2005, section 114
Disclosure Number, disclosure date, barred list check, Right to work in the UK	Protection of Freedoms Act 2012, Part 5 The School Staffing (England) Regulations 2009, Schedule 2, Part 2		HR & Payroll Home Office (Right to Work in the UK only)	Protection of Freedoms Act 2012, Part 5 The School Staffing (England) Regulations 2009, Schedule 2, Part 2
Prohibition from Teaching Check	Education Act 2002, section 175		HR & Payroll	Not shared

	Education (Independent Schools Standards) Regulations 2014 Non-Maintained Special Schools (England) Regulations 2015			
Employment History	Education Act 2005 section 114 and accompanying regulations		HR & Payroll, DFE	Education Act 2005 section 114 and accompanying regulations
Sickness records	Employment Rights Act 1996 section 1 and Social Security Contributions and Benefits Act 1992, section 151		HR & Payroll,	Not shared
Ethnicity	Education Act 2005, section 114	Consent	HR, DFE	Education Act 2005, section 114
Disability	Equality Act 2010, section 20	Necessary for preventative and occupational medicine	HR	Legal obligation

**Table 2** – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Emergency Contact details	Necessary for preventative and occupational medicine	Emergency Services	Vital Interest

**Table 3** - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal email address		None	n/a
Employment History		DFE	Education Act 2005, section 114 Consent
Professional Body Membership		None	n/a
Photographs		SIMS, social media, website	Consent

**Table 4** - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal information – surname, forename,		SIMS, ParentPay, Parents Evening Booking, Evolve, Class Dojo, Pupils, Staff, Parents and the school community, Public Health	Public task

		and other public health agencies	
Teacher reference number		None	n/a
Results of Covid-19 Testing		Public Health and other public health agencies	

**Table 5** - Personal information we are required to process because of a contract we have with you or because you have asked us to take specific steps before entering into a contract

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Personal details – Full Name, Gender, Job Title		Local Authority, HR & Payroll	Contract
Address, telephone number, work email		HR & Payroll	Contract
National Insurance Number,		DFE, HR & Payroll, Pension Provider	Contract
Pay,		HR & Payroll	Minimum Wage Act 1998, section 9  Employment Rights Act 1996, section 1  Income Tax (Earnings and Pensions) Act 2003 and Income Tax (Pay As You Earn) Regulations 2003
Bank details, Payroll Number		HR & Payroll	Contract
Pension		HR & Payroll, Pension Provider	Pensions Act 2008 Contract
Student Loan Information		HR & Payroll, HMRC, Student Loans Company	Contract The Education (Student Loans) (repayment) regulations 2009
Tax and NI Information		HMRC, HR & Payroll	Income Tax (Earnings and Pensions) Act 2003 and Income Tax (Pay As You Earn) Regulations 2003  Social Security Contributions and Benefits Act 1992
Start Date		DFE, HR & Payroll	Education Act 2005 section 114 Contract
Qualifications		Teaching Regulation Agency, DFE	Education Act 2005 section 15 Contract
Disclosure Number, date issued, barred list check		HR & Payroll	Contact Protection of Freedoms Act 2012 part 5 The School Staffing (England) Regulations 2009, schedule 2 part 2
Right to work in the UK		HR & payroll, Home Office Right to Work Checking Service	Contract Protection of Freedoms Act 2012, part 5 The School Staffing (England) Regulations 2009

Employment History		DFE	Education Act 2005 part 114
Performance Management Records & Training Records		Third Party Management software	Contract
Disciplinary Records		Not shared	N/a