



Lady Margaret School Privacy Notice

How we use Staff Information

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.

We, Lady Margaret School at Parsons Green, London SW6 4UN, are the Data Controller for the purposes of data protection law.

As a public body we have appointed Grow Partners Ltd as Data Protection Officer (DPO). The responsible contact is David Coy, who is contactable via email david.coy@london.anglican.org.

1. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about those we employ or otherwise engage to work in our school includes, but is not restricted to:

- Basic Details (e.g. title, name, gender, formal staff photograph)
- Personal Information (e.g. date of birth, NI number, passport details, bank details, ethnicity, disability, occupational health referrals, occupational health assessments)
- Contact Information (e.g. home telephone number, mobile telephone number, home email, car registration details)
- Address Information (e.g. current address, address history, address start date, address finish date)
- Education and Qualifications (e.g. teacher number, QTS, induction status, class of degree, secondary education, higher education)
- Employment History (e.g. current post, previous posts, previous employers, salary details, periods when not working, referees)
- Employment Contract Information (e.g. application form, offer letter, contract of employment, continuous service date, employment type, service terms, FTE, salary, allowances, bank details)
- Absences (e.g. absence start date, absence finish date, working days lost, absence type, annual leave)
- Next of Kin (e.g. name, relationship to employee, telephone number)
- Information from pre-employment background checks (such as criminal record, online search)
- Performance / CPD Data (e.g. performance management, threshold applications, CPD requests, CPD record)
- Photographs (e.g. formal staff photograph, informal staff photographs for promotion or publicity)
- CCTV Images
- Disciplinary and Grievance Records (e.g. investigation reports, meeting minutes, formal disciplinary letters, formal grievance letters)

- Allegation of Child Protection Matter (e.g. documents in line with child protection procedures)
- Malicious Allegation of a Child Protection Matter (e.g. documents in line with child protection procedures)
- Health and Safety Assessments (e.g. school risk assessments, Occupational Health referrals, Occupational Health risk assessments, meeting minutes, medical information provided by the employee)
- Health and Safety Accident Reports (e.g. minor accident record, formal accident record, RIDDOR reports)
- Data about your use of the school's information and communication systems

We may also hold personal data about you from third parties, such as references supplied by former employers, information provided during the completion of our pre-employment checks, and from the Disclosure & Barring Service, in order to comply with our legal obligations and statutory guidance.

A full breakdown of the information that we collect on staff can be found within the record of data processing which can be requested from the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

2. Why we collect and use this information

The purpose of collecting and processing includes but is not limited to:

- Running the school in an effective and efficient manner
- Enabling you to be paid and other benefits be provided
- Facilitating the safer recruitment of staff, as part of our safeguarding obligations towards pupils
- Fulfilling our legal obligations in recruiting staff
- Supporting effective performance management and appraisal
- Supporting effective management of the school workforce, along with the implementation of its policies and procedures
- Providing feedback to training centres and awarding bodies
- Informing our recruitment and retention policies
- Allowing better financial modelling, administration and planning
- Providing references where requested
- Equalities monitoring and reporting
- Responding to any staffing issues
- Improving the management of workforce data across the sector
- Supporting the work of the School Teachers' Review Body
- Assessing the quality of our services
- Complying with the law regarding data sharing

3. The lawful bases on which we use this information

These are defined under data protection legislation and for personally identifiable information are:

- To fulfil a contract with you
- You have given consent for one or more specific purposes
- Processing is necessary to comply with the school's legal obligations
- Processing is necessary to protect your vital interests
- Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education)
- Processing is necessary for your legitimate interests or the legitimate interests of a third party

When we process special category information, which is deemed to be more sensitive the following lawful bases are used:

- You have given explicit consent
- Employment, social security and social protection
- It is necessary to fulfil the school's obligations or your obligations
- It is necessary to protect your vital interests
- Processing is carried out by a foundation or not for profit organisation (includes religious, political or philosophical organisations and trade unions)
- Reason of public interest in the area of public health

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you can withdraw consent if you wish to do so.

4. Collecting staff information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

5. Storing your data

We collect, store and process data for each member of the school workforce. The information is contained in a virtual or physical file which is kept secure and only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our retention policy, a copy of which can be requested from the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

6. Transferring data internationally

We may send your information to other countries where:

- We or a company we work with store information on computer servers based overseas; or
- We communicate with you when you are overseas

We conduct due diligence on the companies we share data with and note whether they process data in the UK, EEA (which means the European Union, Liechtenstein, Norway and Iceland) or outside of the EEA.

The UK and countries in the EEA are obliged to adhere to the requirements of the GDPR and have equivalent legislation which confer the same level of protection to your personal data.

From organisations who process data outside the UK and EEA we will assess the circumstances of how this occurs and ensure there is no undue risk.

Additionally, we will assess if there are adequate legal provisions in place to transfer data outside of the UK.

7. Whom we share information with

In order for us to legally, effectively and efficiently function we are required to share data with appropriate third parties, including but not limited to:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information relating to certain staffing matters
- The Department for Education - to meet our legal obligations to share certain information with it
- Your family and representatives – such as in the event of an emergency
- Educators and examining bodies – such as ensuring we adhere to examining regulations to guarantee the validity of examinations
- Training centres and awarding bodies
- Ofsted – such as during the course of a school inspection
- Suppliers and service providers – to enable them to provide the service we have contracted them for e.g., HR, payroll, employee benefit schemes
- Financial organisations e.g. Pension Scheme
- Central and local government – such as workforce analysis
- Our auditors, to ensure our compliance with our legal obligations
- Health authorities and Occupational Health and employee support schemes – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Security organisations – to create a secure workplace for staff
- Health and social welfare organisations – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Professional advisers and consultants – for us to develop our service to best provide our public service
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Employment and recruitment agencies
- Future employers

8. Why we share your information

In order to successfully perform our key functions, we need to share personal data with organisations. For example 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.

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.

9. 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 the 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>

10. Requesting access to your personal data and your Data Protection Rights

Under data protection legislation, staff members have the right to request access to information about them that we hold, through a Subject Access Request.

If you make a Subject Access Request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you whom it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form
- NOT provide information where it compromises the privacy of others

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

In most cases, we will respond to subject access requests within 1 month, as required under data protection legislation, however, we are able to extend this period by up to 2 months for complex requests or exceptional circumstances.

The school reserves the right to verify the requester's identification by asking for Photo ID, if this proves insufficient then further ID may be required.

You also have the right to:

- Withdraw your consent to processing at any time (this only relates to data for which the school relies on consent as a lawful basis for processing)
- Ask us to rectify, erase or restrict processing of your personal data, or object to the processing of it in certain circumstances and where sufficient supporting evidence is supplied
- Prevent the use of your personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest, official authority or legitimate interests
- Request a copy of agreements under which your personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect you)
- Request a cease to any processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Submit a complaint to the ICO
- Ask for your personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

If you would like to exercise any of the rights or requests, please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

The School will comply with the Data Protection legislation in regard to dealing with all data requests submitted in any format, but individuals are asked to preferably submit their request in written format to assist with comprehension.

11. Data Collection Breaches

If you suspect yours or someone else's data has been subject to unauthorised or unlawful processing, accidental loss, destruction or damage, then we ask that you please contact the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

12. Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

To make a complaint, please contact our Data Protection Officer, Grow Partners Ltd by contacting David Coy, via email david.coy@london.anglican.org.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

13. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbf.sch.uk or telephone 020 7736 7138.