



Southerly Point
Co-operative
Multi-Academy Trust

Southerly Point Co-operative Multi-Academy Trust FAIR PROCESSING (PRIVACY) NOTICE WORKFORCE

FAIR PROCESSING [PRIVACY] NOTICE

WORKFORCE

Porthleven School

This policy is to let you know how **Porthleven School** will collect, use and process personal data. It is also designed to let you know your rights and what you can do if you have questions about personal data.

The School is the controller for the purposes of data protection laws.

This document sets out the types of personal data [meaning information about an individual from which that individual can be personally identified] we handle, the purposes of handling those personal data and any recipients of it.

Our details

We are: **Porthleven School**

Registered Company Number: 10552443 [for Southernly Point Co-operative Multi-Academy Trust]

Address: Church Hill, Helston

Information Commissioner's Office Registration Number: ZA258622 [for Southernly Point Co-operative Multi-Academy Trust]

Our Data Protection Officer is: Dave Dudley and their contact details are: Helston Community College, Church Hill, Helston, Cornwall

Why we collect data

We collect and hold personal information relating to the school workforce and may also receive information about them from previous employers, the Local Authority, Department for Education [DfE] and other professional bodies. We may also share personal data with other agencies as necessary under our legal duties or otherwise in accordance with our duties/obligations as a school.

Whilst the majority of workforce information we are provided with or collect is mandatory, some of it is provided to us on a voluntary basis. We will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Below are set out the reasons why we collect and process personal data, as well as the legal basis on which we carry out this processing:

We use school workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid

Legal Basis for Processing

The lawful basis for us to collect/process this personal data is in order to provide education in accordance with statute law [such as the Education Act 1996 and other legislation], our funding agreements with the Secretary of State, our memorandum and articles of association and other guidance provided for in law.

In addition, personal data will be collected and/or processed for the purposes of relevant contracts for the provision of services which are paid for.

We do not process any special categories of personal data except where necessary for reasons of substantial public interest in complying with legal obligations including under the Equality Act 2010 or where necessary to protect the vital interests of the data subject or of another natural person and where safeguards are in place to ensure that this personal data is kept secure. For the avoidance of doubt where special categories of personal data are collected it shall not be used for the purposes of automated decision making and/or profiling.

Special categories of data means personal data revealing:

- *racial or ethnic origin;*
- *political opinions; religious or philosophical beliefs or trade union membership;*
- *genetic or biometric data that uniquely identifies you;*
- *data concerning your health, sex life or sexual orientation; or*
- *data relating to criminal convictions or offences or related security measures.*
- Further personal data including special categories of personal data may be collected and/or processed where consent has been given [for example, school photographs for non-educational purposes]. If consent has been given then this may be revoked in which case the personal data will no longer be collected/processed.

CCTV system

The school operates a CCTV system and the images produced by it are controlled by the school in line with GDPR.

CCTV equipment is used to provide a safer, more secure environment for pupils and staff and to help prevent bullying, vandalism and theft. Essentially it is used for:

- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders [including use of images as evidence in criminal proceedings].
- Safeguarding public, pupil and staff safety.
- Monitoring the security of the site.
- The School does not use the CCTV system for covert monitoring.

Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.

The recorded images will only be retained long enough for any incident to come to light [eg for a theft to be noticed] and the incident to be investigated.

Except for law enforcement bodies, images will not be provided to third parties.

Categories of information we collect

We may collect the following types of personal data [please note this list does not include every type of personal data and may be updated from time to time]:

- contact details;
- data of birth;
- health and/or other medical information [including confirmation of fit to work];
- information in connection with education [including academic and other qualifications];
- attendance information;
- behavioural and disciplinary information;

- information received in connection with any complaint;
- biometric data specifically for use with the cashless catering system;
- information required for employment purposes, such as:
 - national Insurance numbers;
 - bank details;
 - remuneration details;

Who will have access to your data

Personal data will be accessible only by specific members of staff, in order to fulfil their contractual role. Where necessary governors will also have access to personal data.

We will not share information about our workforce with third parties without consent unless we are required to do so by law or our policies. We will take all steps reasonably necessary to ensure that once your personal data is shared it is treated securely and in accordance with this privacy policy. We will disclose personal data to third parties:

- if we are under a duty to disclose or share your personal data in order to comply with any legal or contractual obligation; for example, we share bank details with County Payroll, in order to enforce any agreements with you;
- to protect the rights, property, or safety of the School, or other pupils. This includes exchanging information with other organisations for the purposes of child welfare.

This may include our Local Authority, the Department for Education, the Police and other organisations where necessary.

How data will be processed

Personal data may be processed in a variety of ways; this will include but is not limited to:

- sending by e-mail;
- adding to spreadsheets, word documents or similar for the purposes of assessing personal data;
- for educational software use [this could be for the purposes of helping children learn, discipline, reports and other educational purposes].

Where we store data and how we keep data secure

Paper copies of personal data are kept securely at the school; for example, in secure filing cabinets.

Electronic copies of personal data are kept securely and information will only be processed where we are satisfied that it is reasonably secure.

All information you provide to us is stored on secure servers. Where we have given you [or where you have chosen] a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. You must not share your password with anyone.

When giving personal data to third parties [for example, software providers] it is possible that this personal data could be stored in a location outside of the European Economic Area. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy policy. In particular, any transfer of your personal data made by us to a location outside of the EEA will be governed by clauses in a written contract in order to keep these secure.

Retention periods

We will only retain personal data for as long as is necessary to achieve the purposes for which they were originally collected. As a general rule, personal data will be kept for the entire period that a member of staff is employed at the school, and for six years following the termination of their contract. Other records [for example, safeguarding or in relation to special educational needs] will be kept for longer in accordance with guidance from the Local Authority. Further information on retention periods can be obtained by contacting us via the details in this Notice.

Your data rights

The General Data Protection Regulation and associated law gives you rights in relation to personal data held about you. These are:

- **Right of Access:** if your personal data is held by the School, you are entitled to access your personal data [unless an exception applies] by submitting a written request. We will aim respond to that request within one month. If responding to your request will take longer than a month, or we consider that an exception applies, then we will let you know. You are entitled to access the personal data described in this privacy notice.
- **Right of Rectification:** you have the right to require us to rectify any inaccurate personal data we hold about you. You also have the right to have incomplete personal data we hold about you completed. If you have any concerns about the accuracy of personal data that we hold then please contact us.
- **Right to Restriction:** you have the right to restrict the manner in which we can process personal data where:
 - the accuracy of the personal data is being contested by you;
 - the processing of your personal data is unlawful, but you do not want the relevant personal data to be erased; or
 - we no longer need to process your personal data for the agreed purposes, but you want to preserve your personal data for the establishment, exercise or defence of legal claims.

Where any exercise by you of your right to restriction determines that our processing of particular personal data are to be restricted, we will then only process the relevant personal data in accordance with your consent and, in addition, for storage purposes and for the purpose of legal claims.

- **Right to Erasure:** You have the right to require we erase your personal data which we are processing where one of the following grounds applies:
 - the processing is no longer necessary in relation to the purposes for which your personal data were collected or otherwise processed;
 - our processing of your personal data is based on your consent, you have subsequently withdrawn that consent and there is no other legal ground we can use to process your personal data;
 - the personal data have been unlawfully processed; and
 - the erasure is required for compliance with a law to which we are subject.
- **Right to Data Portability:** you have the right to receive your personal data in a format that can be transferred. We will normally supply personal data in the form of e-mails or other mainstream software files. If you want to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format, please contact us via the details in Section 1 of this Notice.

You can find out more about the way these rights work from the website of the Information Commissioner's Office [ICO].

Requesting your data

Where the School holds personal data concerning you, you are entitled to access that personal data and the following information [unless an exception applies]:

- a copy of the personal data we hold concerning you, provided by the School;
- details of why we hold that personal data;
- details of the categories of that personal data;
- details of the envisaged period for which that personal data will be stored, if possible;
- information as to the source of personal data where that personal data was not collected from you personally.

If you want to receive a copy of the information about your son/daughter that we hold, please contact us via the details in Section 0 of this Notice.

Making a Complaint

If you are unhappy with the way we have dealt with any of your concerns, you can make a complaint to the ICO, the supervisory authority for data protection issues in England and Wales. We would recommend that you complain to us in the first instance, but if you wish to contact the ICO on the details you can do so on the details below. The ICO is a wholly independent regulator established in order to enforce data protection law.

ICO Concerns website: www.ico.org.uk/concerns

ICO Helpline: 0303 123 1113

ICO Email: casework@ico.org.uk

ICO Postal Address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Changes to this notice

Any changes we make to this notice in the future will be posted on our website and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes.