

Privacy Notice for Applicants – How we use your information

2021/22

Who are we?

High Meadow Infant School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

High Meadow Infant School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z6976965.

You can contact the school as the Data Controller in writing at:
High Meadow Infant School, Norton Road, Coleshill B46 1ES or admin2569@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 Applicants?

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

- personal identifiers, contacts and characteristics (such as name, date of birth, contact detail and postcode).
- special categories of data including characteristics information such as gender, age, ethnic group
- Governance details (such as role, start date and end dates and governor ID
- DBS reference number

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
- ensure that we can act in an emergency
- to meet the statutory duties placed upon us
- share medical information with public health agencies.

Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are: Public task, Legal obligation and Vital interest.

These lawful bases are taken from Article 6 and 9 GDPR 2018 and comply with the Education Act 1996 and Childcare Act 2006.

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 Legal Obligations

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.

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.

Collecting Applicants Information

We collect personal information via application forms.

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 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.

Who might we share your information with?

We routinely share governor information with:

- our local authority
- the Department for Education (DfE)
- Local Public Health Team
- NHS Test and Trace

All data 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.

We are required to share information with DfE under section 538 of the Education Act 1996

NHS Test and Trace/Public Health Agencies

It may be necessary for us to share limited information with the above agencies in the event that 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. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case by case basis.

We do not share information about our Governors 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.

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, you have the right to request access to information about them that we hold. To make a request for your personal information contact the Data Protection Officer at admin2569@welearn365.com;

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Contact

If you would like to discuss anything in this privacy notice, please contact: Nikki Harris
admin2569@welearn365.com

Review

The content of this Privacy Notice will be reviewed September 2022 .How Government uses your data
The governor data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements
- will enable schools and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role

Data collection requirements

To find out more about the requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/government/news/national-database-of-governors>

Note: Some of these personal data items are not publically available and are encrypted within the GIAS system. Access is restricted to a small number of DfE staff who need to see it in order to fulfil their official duties. The information is for internal purposes only and not shared beyond the department, unless the law allows it.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

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
Applicants information including personal details, NI number, DBS checks, qualifications and right to work in UK.	Education Act 2005, section 114 and accompanying regulations		Secretary of state, WCC, Disclosure & Barring Services	Legal Obligation
Accident Records	Reporting of injuries, diseases and dangerous occurrences 2013 RIDDOR		Health & Safety Executive & LA safety team	Legal Obligation
Individual Staff Health & Safety Risk Assessments & PEEP	Health & Safety at Work Act 174 & accompanying legislation		Not shared externally	
Qualifying complaint information	Education Act 2005 section 11B		Chief Inspector	Legal Obligation
Verification of right to work in UK Single Central Record	Immigration, Asylum and Nationality Act 2006 section 15		LA OFSTED	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
Medical conditions & Gov emergency contact details	Necessary for preventative/ occupational medicine	Medical staff	Vital Interest
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent or necessary preventative/	Medical staff	Vital Interest

	Occupational medicine		
Religious belief	Necessary to protect vital interest of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff	Vital Interest
Gov Dietary requirements	Necessary for preventative/ Occupational medicine	Medical staff	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
Applicants email address and mobile numbers		Other members of staff	Consent
Photographs		Local Press/Media, Newsletter, school website, Twitter, Internal school displays	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
Attendance records at training		OFSTED	Public task
Applicants personal characteristics ie religion, gender, ethnicity	consent	LA	Public Task
Medical Conditions	Necessary for preventative or occupational medicine	Medical staff	Public Task
Result of Covid 19 Testing	Necessary for reasons of public health	Public Health NHS Test and Trace	Public Task

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
Recruitment Information – Application forms, interview notes medical questionnaires & references		WCC Team Prevent, LA, OFSTED	Public Task/ Legal Obligation
Disciplinary Actions Taken		LA HR Advisory team	Public Task
Grievances		LA HR advisory team where necessary	Public Task
Applicants personal information		DFE – school workforce census. LA Disclosing & Barring service	Legal Obligation
Appraisal records, notes feedback objectives. Updated job descriptions, salary		LA HR team OFSTED	Legal Obligation