

St Mark's C of E School

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Executive Headteacher: Mrs Stephanie Bryant

Head of School Primary: Mrs Lorraine Hoad

Head of School Secondary: Mr Ben Godber



## Privacy Notice (How we use school workforce 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, St. Mark's Church of England School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Judicium Consulting Limited (see 'Further Information' below).

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, contact details, employee or teacher number, national insurance number, next of kin and emergency contact numbers)
- CCTV footage, photographs,
- Data about your use of the school's information and communications system
- special categories of data including characteristics information such as gender, age, ethnic group, health/medical information (including occupational health information), biometric data (by consent)
- Contract information (such as start dates, hours worked, post, roles and salary information, bank details, tax status information including copies of identification documents, performance related information)
- Work absence information (such as Doctor's notes, medical notes, occupational health reports, number of absences and reasons)
- Qualifications and training information (and, where relevant, subjects taught and professional memberships)
- Disciplinary and conduct information
- Recruitment information (such as references and other information included in a CV or covering letter(s) or as part of the application process)
- Data relating to performance and continuing professional development.

This is not an exhaustive list and a full data asset list can be obtained upon request.

## Why we collect and use this information

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- e) Support effective performance management
- f) Allow better financial modelling and planning
- g) Enable equalities monitoring
- h) Improve the management of workforce data across the sector
- i) Support the work of the School Teachers' Review Body
- j) Ensure the welfare of our staff.

## The lawful basis on which we process this information

- For the purposes of a, d and f, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school as set out here:
  - legal duties such as those under the Education Act 1996 and subsequent amendments, Equality Act 2010, Children's Act 2004 and 2011, Every Child Matters (2003), KCSiE 2022
- For the purposes of b, c, d, e, g and j, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
  - such as our legal duties in supplying appropriate information within the Education Act 1996 and Children's Act 1989/2004/2011. The Education Act 2002 section 122, The School Staffing (England) Regulations 2009, Equality Act 2010, UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018)
- For the purposes of a, f, g, h, I and j, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- For the purposes of d and j, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of a, b, c, d, e, f, h and i, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of a, b, f, g, h and i, in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, such as:-
  - providing 3<sup>rd</sup> parties with names to allow us to carry out our specific functions as a school, such as supplying class teacher names to our library management system company or other software/system suppliers/companies.

## For special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection legislation (GDPR) under article 9 and 6:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

It may also be in relation to article 6 of the Data Protection Legislation (GDPR) such as:-

- Statutory and government purposes
- Administration of justice and parliamentary purposes
- Equality of opportunity or treatment
- Preventing or detecting unlawful acts
- Protecting the public
- Regulatory requirements
- Preventing fraud
- Support for individuals with a particular disability or medical condition
- Counselling
- Safeguarding of children and individuals at risk
- Insurance
- Occupational pensions
- Publication of legal judgments

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection legislation (GDPR). Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights

- We need to process it for reasons of substantial public interest as defined in legislation

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 go about withdrawing consent if you wish to do so.

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.

## **Collecting this information**

Whilst the majority of information is provided by yourself through contracts etc, or via information that you provide which is mandatory, some of it is provided to us on a voluntary basis or through other sources.

We also collect or obtain personal data via such sources as

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals
- Occupational Health

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

## **Storing this information**

Personal data is stored in line with our data protection policy.

Data is stored in both paper and electronic format. When stored electronically information is stored on a secure server and wherever possible is encrypted for added security. Paper based data is stored as securely as is practicably possible, including locked filing cabinets with limited access by others. We have also in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is 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 LA recommended retention policy found here

<https://www.southampton.gov.uk/media/4fypjryh/rrrs-version-14-007-30-05-2024.pdf>.

## **Who we share this information with**

We routinely share this information with:

- our local authority - to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about headteacher performance and staff dismissals
- the Department for Education (DfE) - to meet our legal obligations to share certain information with it

- Our regulator [Ofsted] – to comply with the Education (School Inspection) Regulations 2005.
- Suppliers and service providers (these can be found listed at the end of this document – to enable them to provide the service we have contracted them for, such as payroll and to provide the services we need to fulfil our functions as a school and thus, in some cases, under Public Interest legislation.
- Our auditors – to meet our obligations to comply with correct financial conduct.
- Trade unions and associations – in circumstances where we must share information with these groups to meet our legal obligations or where directed to by its member (with the members written consent)
- Security organisations – to ensure the safety, security and wellbeing of pupils, staff and other stakeholders (such as key holder information held by our alarm monitoring and
- Health and social welfare organisations – to comply with our legal obligations, such as safeguarding concerns under our duties within the Education Act 2002
- Professional advisers and consultants – to ensure quality of education as a function of our purpose as a school, and therefore under public interest
- Governors – to carry out their legal function as governors (such as Section 21(2) of the Education Act 2002 and The School Governance (Role, Procedures and Allowances) (England) Regulations 2013)
- Police forces, courts, tribunals – where this information has been requested under a legal basis whereby we must comply.

### **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.

### **Why we share school workforce information**

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

#### **Local authority**

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.

#### **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.

We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **How the Government uses your data**

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce

- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

### *Data collection requirements*

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### *Sharing by the Department for Education (DfE)*

The Department for Education (DfE) 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 for Education (DfE) 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 Department for Education (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.

## **How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) 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 the Department for Education (DfE): <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 you that we hold. To make a request for your personal information, contact our data protection officer, whose contact details are listed at the end of this document. Details of this process can be found in our Data Protection Policy found on our website.

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 who 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

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Data Protection Officer whose details are listed at the end of this document.

You also have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

## 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.

To make a complaint, please contact our data protection officer, whose details are at the end of this document.

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



## Further information

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the Data Protection Officer, whose details are below.

Executive Headteacher	Mrs Stephanie Bryant
School postal address	St Mark's Church of England School Stafford Road Shirley Southampton SO15 5TE
School e-mail address	info@st-marks-southampton.org.uk
School telephone number	023 8077 2968
Supplier Information and Data Processors (These may or may not process your information)	<p><b>Accident and Medical Platform:</b> Medical Tracker</p> <p><b>Alarm Engineers:</b> Firecare</p> <p><b>Alarm Monitoring:</b> Kestrel Guards and Southern Monitoring</p> <p><b>Anti-Virus/E-Safety, Filtering &amp; Monitoring Management:</b> McAfee, Secury, Talkstraight</p> <p><b>Attendance Reporting:</b> Studybugs</p> <p><b>Biometric Information:</b> CBR Cunninghams</p> <p><b>Careers Platform (Secondary Only):</b> Morrisby</p> <p><b>CPD Tools:</b> IRIS Connect, StepLab, National College and The School Bus</p> <p><b>Curriculum and Assessment Software/Suppliers:</b> Angel Solutions – Perspective Lite (Assessment Support), Carousel (Humanities), Charanga (Music), Digimaps (Geography), Flat (Music), Geographical Association (Geography), Geography Quality Mark (Geography), Hampshire County Council – HIAS (Religious Education), History Association (History), Jigsaw (PSHE), Number Sense Maths – Times Tables Fluency (Maths), Oxford University Press - ELS and OxfordOwls (Phonics), Pearson - Viva (Spanish), Phonics Play (Phonics), Purple Mash (Computing), Renaissance - Accelerated Reader and MyOn (English), Scratch (Computing), Sing Up (Music/Collective Worship), Sparx (Maths), Spelling Shed (English), Testbase (Assessment), TT Rockstars (Maths), White Rose (Curriculum Resources),</p> <p><b>Data Destruction and backup:</b> Jamie's Computers and Acronis, RedStore, VEAMM</p> <p><b>Data Protection Management Tool:</b> GDPRiS</p> <p><b>Dinners, parents evening, trips and events, electronic payment:</b> Tucasi and Southampton City Catering, CRB Cunninghams, SCOPay</p> <p><b>Diocese:</b> The Diocese of Winchester</p> <p><b>High Education Establishments:</b> Universities (courses, student allocations)</p> <p><b>HR Management:</b> Capita: HR Solutions for Education (DBC Checks, Payroll and Absence etc)</p> <p><b>IT Support (3<sup>rd</sup> Line):</b> Soft Egg</p> <p><b>IT Infrastructure Operating Systems (servers, devices, networking etc):</b> Microsoft</p> <p><b>Library System :</b> Libresoft</p> <p><b>Occupational Health:</b> Medi-Gold</p> <p><b>Online IT/Curriculum/Office Suite (inc email, calendar, storage):</b> GSuite for Education</p> <p><b>Outdoor Activities Management Platform:</b> Evolve</p> <p><b>Parent Engagement Tool:</b> SIMS InTouch and SIMS Parent App (Secondary Only at Present), SCOPay (Parents evening, Trips/Events inc. residential trips and After School Club booking)</p> <p><b>Printing Services:</b> Papercut</p> <p><b>Reputable Institution Researchers for Educational research:</b> NIESR, IES, The Behavioural Insights Team (BIT)</p>

	<p><b>Safeguarding Database:</b> CPOMS  <b>Safeguarding for missing/run away pupils:</b> Hampshire and Isle of Wight Constabulary  <b>School Asset Management Tool:</b> Parago  <b>School Photography:</b> Hallett's Photography (Hampshire)  <b>School Website:</b> Hosted by FSE Design, GoDaddy (host)  <b>School's Financial Consultant:</b> Southampton Finance at the City Council  <b>Secure Data Transfer:</b> Wonde, Xporter and Groupcall  <b>Secure File Transfer:</b> DfE (i.e. COLLECT), AVCO Anycomms  <b>Secure Shredding:</b> Premier Shredding  <b>Signing In System and Access Control:</b> Inventory, Paxton - Net2  <b>Social Media:</b> Facebook, Twitter and Instagram  <b>Special Educational Needs Platforms:</b> RS Assessments - SNAP (SEND Assessments), TES - EduKey (Provision Map) and Widget (SEND Resouce)  <b>Staff, Pupil and Contact Database :</b>ESS SIMS  <b>Staff Well-being Tool:</b> Spectrum Life  <b>Telephone System:</b> Intech and SpliceCom - Vision</p>
Data Protection Officer	<p><b>Name:</b> Judicium Consulting Limited  <b>Address:</b> 72 Cannon Street  London, EC4N 6AE  <b>Telephone:</b> 02033269174  <b>E-Mail Via:</b> dataservices@judicium.com</p>