Heathfield Community College and Sixth Form

PRIVACY NOTICE – School Workforce

INTRODUCTION

Heathfield Community College is the Data Controller for the purposes of the Data Protection Act 2018 & UK GDPR as amended by the Data Use & Access Act 2025.

We ensure that your personal information is:

- processed legally
- processed fairly
- correct
- stored safely
- kept for no longer than needed (see our retention schedule on the College website http://www.heathfieldcc.co.uk/?page_id=1595711)
- is deleted as soon as possible after the expiry of the retention period

This document describes:

- why we collect data about you
- what data we collect
- what we do with the data we collect
- what your rights are.

WHY DO WE COLLECT INFORMATION ABOUT STAFF?

We collect information about our staff to:

- allow individuals to be paid
- assist in the smooth running of the College and/or enable individuals to be paid.
- improve the management of school workforce data across the sector;
- enable a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- allow continuing professional development
- allow better financial modeling and planning
- enabling ethnicity and disability monitoring
- support the School Teacher Review Body and the School Support Staff Negotiating Body
- improve the quality of teaching & learning in the college, including during College closures
- improve the quality of communication with current & future students and their families, especially (but not restricted to) during a College Closure, pandemic
- preserve the school's history and collective memory

THE LAWFUL BASIS ON WHICH WE PROCESS THIS INFORMATION

The legal reasons that we collect data about staff are to:

- meet our legal obligations to share certain data (section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- act in the substantial public interest to provide high quality education even if the College is closed during term time (UK GDPR Article 9 (2))
- fulfil a public task, legal obligation or a contract that you are a party to (UK GDPR Article 6 (1))
- achieve the purpose of preventative or occupational medicine or for the assessment of the working capacity of the employee (for special category data) (UK GDPR Article 9 (2))
- comply with your consent, eg sharing images (See Appendix A) or to comply with your explicit consent (for special category data). We will inform you at the point of collection if you are required to provide information to us or if you have a choice and explain how you can withdraw consent if you want to. We collect personal information via our application and staff data update forms (UK GDPR Article 6 (1) & Article 9 (2))
- ensure "public health", for example during a pandemic (UK GDPR Article 9 (2))

Please see the school's Special Category Data policy for more information about how we process this type of data. This policy can be found on the College Data Protection website page – here. Where we keep records and information containing personal data for a longer time, we do this for archiving purposes in the public interest. We keep these records to preserve the school's history, key events and collective memory. We will

provide access to these records for research or statistical purposes, taking reasonable measures to protect the personal data they may contain

WHAT DATA DO WE COLLECT ABOUT STAFF?

The personal data that we may collect, use, store and share (when appropriate) includes special category information. This is as follows but it is not restricted to these:

- personal identifiers such as name, National Insurance number & your signature
- special categories of data including characteristics information such as ethnic group, disability/access requirements or other medical information
- employment contract and remuneration details
- contact details eg email, telephone number, mobile number, address
- post "A" level qualifications; and absence information.
- appraisal and disciplinary records, including work absence information (such as number of absences and reasons)
- to ensure you are kept safe whilst on site we ask for information about any allergies that you have.
- whilst on site your image will be collected for our MIS & may be recorded on our CCTV.
- Images and video recordings. The reasons why we use staff digital images are found in Appendix A
- whilst using video conferencing software for meetings and live contact with students, we require you to share your image, voice and comments via text chats.
- biometric data voluntary provided for the purposes of administering automated systems like cashless catering. Detail of what this biometric data is and how it is used can be found in our Data Protection policy but in summary:
    - biometric data is securely deleted if consent is withdrawn OR when you leave the college
    - biometric information is only used for the College's automated systems
    - an image of fingerprint is not stored and biometric information is never shared with anyone

HOW DO WE STORE YOUR DATA AND FOR HOW LONG?

Your data is stored securely in line with our policies on data protection and online safety and IT security. Some data, for example, our management information system (Arbor), workforce surveys and recordings of video conferences may be held in "cloud" storage such as Google Drive, iCloud, OneDrive. We will never store data anywhere that does not comply with the highest standards of security, appropriate to its circumstances. We keep your data only for as long as we need to process it. The document that guides for how long we keep specific types of data is called our retention schedule. The retentions schedule can be found on the data protection page of the College website: http://www.heathfieldcc.co.uk/?page_id=1595711 .

We will keep a limited and reasonable amount of personal information for a longer time, where it appears in records that are of historic value or it is in the public interest to keep as part of the school's history and collective memory. We store these records securely in our school archive for permanent preservation. We transfer these records to the local archive at East Sussex and Brighton and Hove Record Office (based at The Keep) for permanent preservation.

DO WE SHARE STAFF INFORMATION?

We may use Artificial Intelligence (AI) tools to help us work more efficiently with your personal data. When we do so, we only use those tools that do not include the user inputs as part of their learning processes. In all other circumstances, we will not give any information about you to anyone outside the College or Local Authority without your consent unless the law requires us to. Before doing so we will always check that the data processor that we share it with is compliant with UK or equivalent local law. For example, we share staff data to :

- meet our legal obligations to share your data with our local authority under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- meet our legal obligations to share your data with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

- met our contractual obligation with traded services purchased through the LA (e.g. for Legal, Human Resources or Information Governance Support)
- facilitate a reference request from a potential future employer or mortgage company or similar.
- make sure all trips are compliant with the College's educational visits policy, using an online educational visit risk assessment tool that
- facilitate the efficient working of the parents' evening booking system.
- facilitate the efficient working of our online ICT room booking system.
- facilitate the efficient working of all learning platforms or software providers used by the College to support education provision eg the iPad management software
- facilitate online continuing professional learning
- facilitate video conferencing meetings and, potentially, recordings of those meetings for safeguarding and CPL reasons.
- facilitate high quality communication with current and future students and their families, especially (but not restricted to) during a College Closure, eg bad weather, pandemic
- facilitate our legal obligations to provide you with training
- facilitate our legal obligations to support your well being
- with requests from the police in relation to any relevant investigation.

All data is transferred securely and held by DfE under a combination of software & hardware controls which meet the current government security policy framework. For more information, please see Appendix B.

TRANSFERRING DATA INTERNATIONALLY

We do not store or transfer your data outside of the College UNLESS, for the efficiency of the College, we use AI enhanced tools to process your data OR it needs to be held in cloud storage like Google Drive, iCloud or OneDrive. Some of the systems that we use are web based data processors, who may transfer your data internationally in order to fulfil their obligations to us. When using AI enhanced tools, the data will be temporarily transferred to the USA before being deleted by the AI tool. All incoming emails are received by us after having been transferred to a malicious email filtering system that may involve a temporary transfer of all emails outside of the UK and EEA. We do this to reduce the risk of the College IT systems being attacked by malicious outside forces. If we meet using MS Teams, we may use MS Co-pilot to transcribe the meeting minutes, which means that data will be temporarily transferred to the USA before being deleted by the AI tool. We never use such services unless their privacy policies for doing this are compliant with UK law. Where other cloud based data is stored outside of the UK we also ensure that that personal data is protected in the same way that it is in UK law.

WHAT ARE YOUR RIGHTS?

There are circumstances when these rights don't apply, for example if a law says we need to keep specific pieces of information, or if not processing the data places a student in danger. Your rights are:

- **The right of access** (a "Subject Access Request"). This means you can ask for a copy of the data we hold about you. Contact details for this are found below. We will comply within ONE calendar month
- **The right to be informed.** This means that we will tell you when we are collecting data about you and what it is being used for.
- **The right to rectification**. This means you can ask us to fix omissions and errors in your data
- **The right to erasure**. This means that you have the right to have information we hold deleted where there is no compelling legal reason for us to continue processing it.
- **The right to restrict processing**. This means we can still hold the data, but can't use it.
- **The right to object**. This means you can object to processing of personal data under certain circumstances. If we had to ask for your consent, you are under no obligation to provide your consent. You can withdraw consent at any time. Consent can be withdrawn by writing to the address below.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.

- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your data, please contact us in the first instance or directly to the Information Commissioner's Office at https://ico.org.uk/concerns/

HEATHFIELD COMMUNITY COLLEGE DATA PROTECTION OFFICER CONTACT INFORMATION

Data Protection Officer contact details: Sarah Oxenbury, Children's Services, East Sussex County Council.schools.dpo@eastsussex.gov.uk

REQUESTING ACCESS TO YOUR PERSONAL DATA

In the first instance, please **contact the Data Protection Lead** in writing. Subject access and information requests should be made on the appropriate form and you will need to provide appropriate identification. Forms and guidance can be found on the Data Protection page of the website - here. If you wish to contact us by email, please email DataProtection@heathfieldcc.co.uk . Please DO NOT contact the main office email address as we cannot guarantee your email will reach its intended destination in a timely way.

The Head Teacher / Data Protection Lead
Heathfield Community College
Cade St
Heathfield
East Sussex
TN21 8RJ
Tel: 01435 866066

Appendix A: What we use digital images of staff for

The purposes for using digital images of staff can be put into TWO categories: those uses for which we do not need consent; and those uses for which we do need consent. These are as follows:

Uses of staff images for which we do not need consent:

- identifying staff to keep them safe
- communicating with other staff and governors about who our staff are
- facilitating video conferences and, potentially, recordings for safeguarding and CPL reasons
- profile pictures in our management information systems
- communicating with students, students transitioning from another school and parents about who their staff are
- facilitate high quality communication with current and future students and their families in order to allow the College to continue functioning, especially (but not restricted to) during a College Closure, eg bad weather, pandemic

Uses of staff images for which we do need consent:

- college promotional and event materials (including internal displays and on the internet), Social Media (including press releases to go to print and online versions of both local and national press), the traditional media and social media, eg Twitter, eg Facebook, eg YouTube, including the websites of our local partner organisations eg Rotary Club)
- programmes such as those for college drama performances; presentations to parents; College Year Books
- year 11 and year 13 leavers' memorabilia
- professional publications & press releases to print and online versions of both local and national press, mainstream media and social media.
- profile pictures in software linked to our management information system eg our Virtual Learning Environment and in our parental and student messaging systems (eg Arbor, but not normal email)

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Appendix B: Government Use Of Your Data

How Government uses your data

The workforce data that we lawfully share with the DfE through statutory data collections:

- informs departmental 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

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current government security policy framework, available online.
For more information, please see 'How Government uses your data' section.

For privacy information on the data the Department for Education (DfE) collects and uses, please see: https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers

Data collection requirements

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.

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.

Sharing by the Department for Education

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 for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education's (DfE) data sharing process, please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

For information about which organisations the Department for Education (DfE) has provided information to, (and for which project) please visit the following website: https://www.gov.uk/government/publications/dfe-external-data-shares

How to find out what personal information DfE hold about you

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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'. See the guide for details:

https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

Further information on what personal information the Department for Education (DfE) holds about you is published in the privacy notice for education providers' workforce, including teachers. This is available below:

https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers

To contact the department: https://www.gov.uk/contact-dfe