

Privacy Notice - Employees

Please be advised that not all of this data is shared with everyone listed. We only share data required for that particular function and only the minimum required.

What is the service being provided?	Employment Records for school staff							
What personal data do we need from you?	*Add any other information held on staff (e.g. on SIMS, RM etc) and any paper records							
	Name	Address	Date of Birth	Next of Kin				
	NI Number	Bank Details	Recruitment papers	Pre-employment check information				
	Pensions data	Payroll data	Employment contracts	Health information (Fit Declaration, sick certificates etc.)				
	Performance Management records	Absence records	Employment records	Risk Assessments				
Who will be using your Personal Data?	Who is the Data Controller ?		Woodham Walter CofE Primary School					
	Who is the Data Controller's Data Protection Officer ?		J A Walker Solicitor					
	Are there any Data Processors ?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>		
	Who are they?		SIMs, Payroll, HR, Legal Services contracted by the school.					
What will it be used for and what gives us the right to ask for it and use it?	The Purpose (s):		Employment					
	The Legal Condition (s):		<ul style="list-style-type: none"> • Under Contract • Employment, Social Security, Social Protection 					
Who else might we share your data with?	Central & Local Government, Health Providers, Other Education Providers (eg HR, Legal), Regulatory Bodies, Professional Associations, Future employers (references), Payroll.							
Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections?	NO							
How long will your data be kept?	When will it stop being used?		Termination of employment + 6 years ¹					
	How long after this will it be deleted?		Termination of employment + 6 years ¹					
Our use of the data will be subject to your legal rights (marked if applicable):	Inform	<input checked="" type="checkbox"/>	Access	<input checked="" type="checkbox"/>	Rectify	<input checked="" type="checkbox"/>	Erase	<input type="checkbox"/>
	Restrict	<input type="checkbox"/>	Portable	<input type="checkbox"/>	Object	<input type="checkbox"/>	Automate	<input type="checkbox"/>

¹ Subject to exceptions – please refer to the school's Retention Schedule

As you are giving us your data directly:	This is the reason why we are allowed to ask for it and use it:	Employment law			
	This is what could happen if you refused to let us use your data for this purpose:	Unable to employ/continue to employ			
As you are not giving your data directly to us:	This is who is giving us your personal data:	Previous employer, DBS service, Occupational Health, NCTL.			
	This is a source of personal data open to anyone	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
	These are the categories of personal data being given to us	Basic Demographics, e.g. name, address, Date of Birth, Contacts, references from previous employers, medical reports, employment suitability/safeguarding checks, Pensions and payroll data, prohibition and qualifications checks			
Visit the following links for more information about Privacy Law, our obligations and your Rights:					
The ICO Guide to the General Data Protection Regulations 2016 The General Data Protection Regulations 2016					
If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:					
Postal Address	J A Walker Solicitor, 4-6 Frederick St, Wigston, Leicestershire, LE18 1PJ				
Email	info@jawalker.co.uk				
Phone Number	0333 7729763				
If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:					
Postal Address	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF				
Online Form	https://ico.org.uk/concerns/handling/				
Phone Number	0303 123 1113				

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Guidance

1. Who is a Data Controller? This is your Organisation.
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2. Who is the Data Protection Officer? This is a statutory post either within your organisation or a contracted service
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3. What is a Data Processor? This is someone who uses the data you are responsible for in order to deliver a service you have contracted them to deliver on your behalf
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4. What are Purposes? This is the reason you want to use the data, e.g. to create a pupil record
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5. What are the legal conditions?
 - a. **Personal Data** can be lawfully processed for the using the following conditions:
 - i. Consent
 - ii. Necessary to perform a contract obligation
 - iii. Blue light emergency services
 - iv. Statutory Duty
 - v. Legitimate Interests
 - b. **Sensitive Personal Data** can be lawfully processed for the using the following conditions:
 - i. Explicit Consent
 - ii. Employment, Social Security, Social Protection
 - iii. Blue light emergency services
 - iv. Legitimate Activities of 'charities/not for profit' organisations
 - v. Made Public by the person
 - vi. For legal defence/claims
 - vii. Substantial Public Interest
 - viii. Health & Social Care provision and management
 - ix. Pan UK Public Health (Epidemics)
 - x. Archiving for scientific/historical research or statistical purposes
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6. Legitimate Interests cannot be used as a processing condition other than I exceptional circumstances
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7. Any country outside of the European Economic Area (EU countries, plus Iceland, Lichtenstein and Norway) is not considered to have the same legal protections as the UK
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8. The right to inform requires you to tell people about how their rights are managed including if information is rectified, modified, erased or restricted
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9. The right to access means you must be able to provide a copy of a person's data to them upon written request
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10. The right to rectify requires you to correct inaccurate data. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box
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11. The right to erasure requires you to securely destroy the data you hold. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box
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12. The right to restrict requires you to stop processing data (other than keeping it secure) whilst a complaint is resolved. This may not always be possible if it relates to an official record or a professional opinion recorded by your staff. If this is the case you should not tick this box
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13. The right to Data Portability only applies when a service is based on 'Consent' and then only if it involves technology
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14. The right to object requires you to stop using the data for the purposes for which it was collected. This does not apply to any legal obligations to process the data, but does apply for any processing under Consent, e.g. marketing or profiling
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15. The right to refuse automated decision making means if a computer makes a decision about how you will deliver a service to a person; they have the right to request the decision to be made by a human Being.
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