Last reviewed on:	24/03/2025
Next review due by:	03/03/2026

Privacy Notice for Staff

Sheffield South East Trust is the data controller for staff information.

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

- Personal identifiers (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start dates, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons) and associated documents e.g. Fit Notes, Self-Certification and absence forms, absence management procedure documents
- Qualifications (and, where relevant, subjects taught)
- Details of pre-employment checks e.g. identity, references, Right to Work in the UK, DBS clearance
- Contract processing information e.g. address, bank details and other payroll information
- School workforce images including photographic ID
- Appraisal information and training records
- Emergency contact details
- CCTV footage
- Relevant medical information e.g. pre-employment health checks, occupational health referrals, medical conditions and disabilities

Please note this list is not exhaustive, however, all categories of information stored within school are stored in our data asset register.

Why we collect and use staff information

The personal data collected is essential, in order for the school to fulfil its official functions and meet legal requirements.

We collect and use staff information, for the following purposes:

- 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 and enable the collection of payments for pensions contributions, Westfield Health, union subscriptions etc.
- to satisfy the requirements for pre-employment checks in schools and the recording of information in the Single Central Record

Sheffield South East Trust collects and uses staff information under the following articles of the General Data Protection Regulation (GDPR).

Article 6:

Processing shall be lawful only if and to the extent that at least one of the following applies:

6 (1) a. The data subject has given consent to the processing of his or her personal data for one or more specific purposes;

6 (1) e. Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

Article 9:

With regards to the processing of personal data revealing 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 shall be prohibited except:

9 (2) a. Where we have explicit consent of the data subject.

Under the GDPR, consent is defined as: "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative actions, signifies agreement to the processing of personal data relating to him or her."

Collecting staff information

We collect personal information via staff contract forms. Staff data is essential for the school's operational use. Whilst the majority of staff 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 at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing staff information

We hold school workforce data for the length of time indicated by records retention guidance. Different elements are kept for different lengths of time e.g. staff personal files will be kept for 6 years after termination of employment but allegations that are found (rather than malicious) against a member of staff which are of a child protection are kept until the person's normal retirement age or for 10 years from the date of the allegation (whichever is longer).

Who we share this information with

We routinely share this information with:

- the Department for Education (DfE)
- Sheffield City Council
- the school's HR and payroll provider
- Teachers' Pensions Scheme and South Yorkshire Pensions Authority
- the school's appointed accountants for statutory financial auditing

- within Sheffield South East Trust
- Office for National Statistics
- Other third-party agencies, where required and, where appropriate security measures are in place

Why we share staff 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 Sheffield City Council under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about our pupils with the Department for Education (DfE), either directly or via our local authority for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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.

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.

Requesting access to your personal data

Under data protection legislation, staff have the right to request access to information about them that we hold. This is called a 'Subject Access Request' (SAR). To make a request for your personal information, please contact our Data Protection Officer.

Under certain circumstances, you also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.

- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

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 haven't the right to object, but you have the right to withdraw consent.

Subject Access Requests

Upon receipt of a Subject Access Request, Sheffield South East Trust will:

- respond to acknowledge receipt of your request;
- request proof of identify of the person making the request;
- inform you as to whether there are any statutory reasons why we may be unable to respond to your request;
- act in accordance with the GDPR in terms of our actions in response to your request, and with due regard to the timescales set out in the GDPR.

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 raise a concern with ICO.

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

Withdrawal of consent and the right to lodge a complaint

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.

Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer.

How Government uses your data

The staff data that we lawfully share with the DfE through 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

Data collection requirements

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

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

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe