

## **PRIVACY NOTICE**

In accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (Article 13 & 14) Schools are required to issue a Privacy Notice to individuals summarising how the school uses any personal data that we hold. This privacy notice explains how we collect, store and use personal data about individuals we employ, engage or who hire facilities at our school.

Under Data Protection legislation, the school is its own data controller and registered with the Information Commissioner's Office (ICO).

Contact details below:

<b>School Name/Address</b>	Penygarn Community Primary School
<b>Head teacher/Data Controller</b>	Miss L Sellars
<b>Privacy Notice Name:</b>	Penygarn Community Primary School Privacy Notice

### **1) How have we sourced your information / data?**

Information is collected from a variety of sources to make sure that we can help you and ensure your safety at school. The school collects information about you when you enrol at the school . We also collect information at other key times during the school year and may receive information from Local Authorities and other schools and previous employers.

### **2) What information / data does the School collect about you?**

- Personal identifiers and contacts (such as name, gender, date of birth, next of kin, emergency numbers, , contact details, e-mail address and home address, school photograph in some cases)
- Characteristics that fall into special categories (such as race, ethnicity, religious beliefs, sexual orientation, sex life, political opinions, trade union membership, biometrics (where used for identification), health, including any medical conditions under Article 9 of the GDPR
- Salary, annual leave, pension and benefits information, EWC registration details, D of E number
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Disclosure and Barring Information
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data and sickness records
- Copy of driving licence, passport
- CCTV footage and photographs captured in school
- Biometrics for the cashless catering system

### **3) How does the School collect this information/data ?**

- Verbally
- Electronically

- Paper systems via enrolment application forms and consent forms
- 3rd parties

Data is essential for the schools' operational use. Whilst the majority of information you provide is mandatory, some of it is requested on a voluntary basis. When this is the case you will have the option to withdraw consent if you choose.

#### 4) Why does the School process your personal information/data ?

The personal information collected is essential, for the school to fulfil their official functions and meet legal requirements. These include:

- For identification purposes and to protect welfare and wellbeing and enable you to be paid
- To comply with the law and legal obligations and the law regarding data sharing and to meet the statutory duties placed upon us (Department for Education and Welsh Government data collection)
- To carry out research, planning, checking and improving services
- Support effective performance management
- Allow better financial modelling and planning
- To enable ethnicity and disability monitoring
- Support the work of the School Teachers Review body
- To publicise activities and celebrate achievements
- To facilitate and inform our safe recruitment as part of our safeguarding obligations towards pupils
- For the management of letting of school premises

#### 5) We can process this category of information /data because:

Under UK GDPR (Article 6) we must have a legal basis to process personal data. The school relies on the following .

**(a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose. When you give your consent for your information to be held and/or shared for any purpose, you can withdraw that consent at any time, by contacting the Head teacher named above. Any processing undertaken before consent was withdrawn will not be affected.

**(b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

**(c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations). We will share information where we have a legal basis to do so, otherwise we will ask for consent.

**(d) Vital interests:** the processing is necessary to protect someone's life.

**(e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

Some of the personal information we process can be more sensitive in nature and therefore requires a higher level of protection. The UK GDPR (Article 9) refers to the processing of this information as 'special categories of personal data' and include personal information revealing: race or ethnic origin/ political

opinions/ religion/ philosophical beliefs/ trade union membership, genetic data, biometric data, health data, data concerning a person's sex life or sexual orientation.

If we process special category information one of the conditions below must apply together with any associated DPA2018 Schedule 1 conditions where required.

The school relies on the following:

**(a) Explicit consent**

**(b) Employment, social security and social protection (if authorised by law)**

**(c) Vital interests**

**(j) Archiving, research and statistics (with a basis in law)**

## 6) Who has access to your information/data ?

We do not share information about staff with any third party without consent or unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we share personal information about staff with such bodies as:

The Welsh Government and TCBC uses this personal information for research (carried out in a way that ensures individual children and young people cannot be identified) and for statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. Examples of the sort of statistics produced can be viewed at [www.wales.gov.uk/statistics](http://www.wales.gov.uk/statistics).

Department of Education for statistical and research purposes <https://gov.wales/school-workforce-annual-census-swac-privacy-notice>

Welsh Government for SWAC (Census)

<https://gov.wales/school-workforce-annual-census-swac-privacy-notice>

Torfaen County Borough Council also use personal information for research. It uses the results of this research to make policy decisions and school funding, to monitor school performance and to help them to set targets. This research is carried out in a way that ensures individual children and young people cannot be identified

We also share personal information with:

Family and representatives

Internally with schools departments

School social media sites and press if we have consent to do so

Torfaen Council Departments including professional advisers and consultants including Employee Services, Education Finance, Pensions, Teachers Pensions, Insurance, Occupational Health

Education Achievement Service (EAS)

Office of National Statistics, Ofsted other regulatory bodies and ombudsmen where the law requires

Welsh / English Government Health Services

Police Services, Ambulance Services, Courts, tribunals

Management Information System providers in order to ensure system functionality and accuracy is maintained

Websites to support learning and Apps to enhance pupil learning – contact school for details

Evolve (managing education visits)

Shared Resource Service (SRS) schools IT provider

Disclosure and Barring Service

Cashless catering service

### **Is the information/data transferred out of the UK?**

We may share personal information about you with international third parties outside of the UK. Where we transfer your personal information to a country or territory outside the UK, we will do so in accordance with UK data protection law and ensure UK GDPR Standard Contractual Clauses are in place.

### **7) How does the School protect and store your information/data ?**

School takes the security of your data seriously. We have and are developing further internal policies to ensure data it processes is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees in the performance of their duties. To ensure information is kept safe we have the following controls/limitations in place :

- the information will not be used for any purpose other than those stated in this notice
- the information will be held within secure systems/locations in the schools management information system and in other IT systems, with appropriate levels of security, that comply with relevant data protection legislation
- the information will only be shared for lawful purposes and if transferred will be with an appropriate level of security that complies with relevant data protection legislation in accordance with DPA2018 and the UK GDPR.
- When stored it will be in secure lockable locations if paper based and password protected if in electronic format
- the information will only be held for the periods agreed in Schools Retention Schedule and follow organisational and Local Authority standards in this area, after which it will be destroyed. The Retention Schedule is available on request
- Where the school engages third parties to process personal data on its behalf, they do so on the basis of written instructions. These third parties are also under a duty of confidentiality and are obliged to implement appropriate measures to ensure the security of data

### **8) Are we making automated decisions/profiling with your information?**

No, we are not

### **Your rights**

Staff have rights regarding personal information under the UK GDPR (Article 15 – 21). Individuals have a right to make a “subject access request” to gain access to personal information the school holds about them.

The right to be informed

The right of access

The right to rectification

The right to erasure - in certain circumstances. Whilst the child is in school, there may be information that would not be erased if requested as this could hamper our ability to perform our public task

The right to restrict processing

The right to data portability

The right to object

Rights in relation to automated decision making and profiling.

If you would like to exercise any of these rights, please contact the Head teacher in writing who will respond within one calendar month. You may also contact the Information Commissioner (ICO), however, the ICO (Wales) cannot make a decision unless you have exhausted the complaints/internal review procedure offered by the Council. Please do not hesitate to contact, Miss L Sellars, Headteacher, Penygarn Community Primary School, Penygarn Road, Penygarn, Pontypool, Torfaen, NP4 8JR or Data Protection & Information Governance Officer, Torfaen County Borough Council, Civic Centre, Pontypool, NP4 6YB. The Information Commissioner's Office (Wales) can be contacted at: The Information Commissioner's Office (Wales), 2<sup>nd</sup> Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone 0330 414 6421 e-mail [Wales@ico.org.uk](mailto:Wales@ico.org.uk)