

# Broomfield School Privacy Notice

## How we use your information

We collect information about:

- pupils of our school, including prospective pupils
- people that have responsibility for our pupils (such as parents, carers etc.)
- our staff, contractors and volunteers, the school's workforce
- governors
- people who use the school facilities such as renting school premises

This information is used to help us:

- deliver education
- contact the right people about issues
- ensure a healthy, safe environment for learning
- carry out our functions as an employer

If we hold data about you, you have rights in respect of your data including:

- the right to be supplied information on our uses
- to see what data we are holding about you
- to request correction or erasure of your data
- to object to processing
- to complain to our data protection officer or the supervisory authority

If you wish to exercise any of these rights, please see the [contact us](#) details later in this document

This Privacy Notice is updated regularly. The latest version will always be on our website, so please check at [www.broomfield.enfield.sch.uk](http://www.broomfield.enfield.sch.uk) for the newest version.

The Local Education Authority, Enfield Council, also holds data to carry out their functions, and we share data with them. You can read their privacy notice at <https://new.enfield.gov.uk/privacy-notice>

The rest of this document gives further details on our collection, storage and use of data for each type of data we hold. It also provides information on who we share with and how to exercise your rights if you are not happy.

We welcome your comments on how we can improve this notice; please [contact us](#) at the address given for the school.

Last updated: 26 August 2020

## Data Usage Regarding Pupils

### The categories of information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Educational information (such as lesson plans, test/exam results, learning challenges)
- Health information (such as illnesses that may affect pupil safety in school e.g. allergies, asthma, epilepsy)
- Assessment information,
- Child protection / safeguarding information,
- special educational needs information,
- exclusions / behavioural information,
- information about criminal proceedings

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings / convictions, child protection / safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

As the school has a cashless catering system, we also process biometric data about pupils. Please see our Data Protection Policy for more details about how we process biometric data.

### Why we collect and use this information

We use the pupil data:

- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law about data sharing;
- to decide who to admit to the school;

- to maintain a waiting list;
- for the protection and welfare of pupils and others in the school;
- for the safe and orderly running of the school;
- to promote the school;
- to communicate with parents / carers.

## The lawful basis on which we use this information

We collect and use pupil information under:

- the UK GDPR Article 6 (c) – for example where we are required to do so by the Education Act 1996
- the UK GDPR Article 6 (d) and 9 (c) – for example critical health information about pupils that may put them at risk
- the UK GDPR Article 6 (a) – for example where data has been supplied by the parent for use in the school setting e.g. information about family preferences in respect of religion

Full details of the legal basis for our data use is given in our Data Protection Impact Assessments which are available on request.

Note that Health professionals commonly gather data in school settings for a variety of purposes. This data is **not** held by the school, and is detailed in the Local Authority privacy notice at <https://new.enfield.gov.uk/privacy-notice>.

## Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection law, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. Where appropriate, we will ask parents [/ pupils] for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities [or if we want to ask your permission to use your information for marketing purposes]. Parents / pupils may withdraw consent at any time.

When pupils are deemed to be old enough to make their own decisions in relation to their personal data, we will also ask the pupil for their consent in these circumstances. This will usually be around the age of 13. Although parental consent is unlikely to be needed, we wish to take a collaborative approach so we will keep parents informed when we are approaching pupils for consent up to the age of 16 . Pupils with the maturity to make their own decisions about their personal data may withdraw consent if consent has previously been given.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

## Storing pupil data

We store pupil data as detailed in our retention schedule, available on request.

A significant amount of personal data is stored electronically, for example, on our MIS database. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a cloud based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

## Who we share information with

We routinely share pupil information with:

- schools that the pupil will attend after leaving us
- our local authority – Enfield
- a pupil's home local authority (if different);
- the Department for Education (DfE)
- school governors / trustees;
- NHS staff working in the school setting
- exam boards;

From time to time, we may also share pupil information other third parties including the following:

- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required

to share the data.

### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's [learning or qualifications](#).

## **Why we share pupil information**

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **Youth support services**

### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches the age 16.

### **Pupils aged 16+**

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit our local authority website.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's 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 has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

## Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, please see the contact details below.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Under data protection legislation, pupils, and in some circumstances, parents, have the right to request access to information about them that we hold ("Subject Access Request"). From the age of 13, we generally regard pupils as having the capacity to exercise their own rights in relation to their personal data. This means that where we consider a pupil to have sufficient maturity to understand their own rights, we will require a Subject Access Request to be made by the pupil and not their parent(s) on their behalf. This does not affect any separate statutory right parents might have to access information about their child.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. [For further information about how we handle Subject Access Requests, please see our Data Protection Policy].

Parents of pupils who attend a maintained school have a separate statutory right to access their child's educational record. Upon receipt of a written request for a pupil's educational

record, the School will respond to it within 15 school days. This is an independent legal right of parents which falls outside of the GDPR, therefore a pupil's consent is not required even if a pupil is able to make their own decisions in relation to their personal data unless a court order is in place which states otherwise.

The term "parent" is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several "parents" for the purposes of education law.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the our data protection responsibilities.
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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 <https://ico.org.uk/concerns/>

**Contact:**

If you would like to discuss anything in this privacy notice, please contact:

- Broomfield School – Carrie Bignell

## Data Usage Regarding People That Have Responsibility for our Pupils

Broomfield School collects data and information about parents / carers of our pupils so that we can operate effectively as a school. This privacy notice explains how and why we collect parent / carer data, what we do with it and what rights parents have.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several “parents” for the purposes of education law. This privacy notice also covers other members of pupils’ families who we may process data about from time to time, including, for example, siblings, aunts and uncles and grandparents.

### Privacy Notice (How we use parent / carer information)

**Broomfield School is maintained Secondary school and Foundation School.**

The Data Protection Officer for the school can be contacted as below. Please ensure you include which school is involved:

By Email: [schools.data.protection.officer@enfield.gov.uk](mailto:schools.data.protection.officer@enfield.gov.uk)

By Post: Data Protection Officer, Enfield Council Civic Offices, Silver St, Enfield, EN1 3XA

### The categories of information that we collect, hold and share include:

- Personal information ((such as name, address, telephone number and email address);
- Contact details (such as mobile telephone number or other ways to get in touch)
- Information relating to your identity, marital status, employment status, religion, ethnicity, language, medical conditions, nationality, country of birth and free school meal / pupil premium eligibility / entitlement to certain benefits, information about court orders in place affecting parenting arrangements for pupils);
- Child protection / safeguarding information, information about criminal proceeding;

From time to time and in certain circumstances, we might also process personal data about parents / carers, some of which might be sensitive personal data, information about criminal proceedings / convictions or information about child protection / safeguarding. This information is not routinely collected about parents / carers and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a parent / carer is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about parents / carers before pupils join the school and update it during pupils’ time on the roll as and when new information is acquired.

## Why we collect and use this information

We use the data about people that have responsibility for our pupils:

- to contact them, both routinely and in emergencies
- to ensure they are kept aware of pupil's progress as appropriate
- to comply with the law regarding data sharing
- to decide who to admit to the school;
- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
- for the safe and orderly running of the school;
- to promote the school;
- to send you communications that may be of interest to you which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- in connection with any legal proceedings threatened or commenced against the school.

## The lawful basis on which we use this information

We collect and use this information under:

- the UK GDPR Article 6 (c) – for example where we are required to do so by the Education Act 1996
- the UK GDPR Article 6 (a) – for example additional contact information supplied to us above that required by law

Where the personal data we collect about parents / carers is sensitive personal data, we will only process it where:

- a. we have explicit consent;
- b. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- c. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we respect

the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our Data Protection Policy for a definition of sensitive personal data.

## Collecting information

Whilst the majority of information about parents / carers provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection law, we will inform you whether you are required to provide certain parent / carer information to us or if you have a choice in this. Where appropriate, we will ask parents / carers for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to [ask your permission to use your information for marketing purposes or to request voluntary contributions]. Parents / carers may withdraw consent given in these circumstances at any time.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving parents / carers will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

## Storing data

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a [cloud] based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. [Details of retention periods for different aspects of your personal information are available in our Data Retention Policy which is available from available on request. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a parent / carer we will retain and securely destroy your personal information in accordance with our data retention policy OR applicable laws and regulations.

## **Who we share people that have responsibility for our pupils information with**

We routinely share information with:

- schools that the pupil will attend after leaving us
- our local authority
- the Department for Education (DfE)
- NHS staff working in the school setting

From time to time, we may also share parent / carer information other third parties including the following:

- our local authority - Enfield;
- a pupil's home local authority (if different);
- school governors ;
- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the Teaching Regulation Authority;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;

## **Why we share information**

We do not share information about people that have responsibility for our pupils with anyone without consent unless the law and our policies allow us to do so.

We are required to share information about people that have responsibility for our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## **Requesting access to your personal data**

Under data protection legislation, parents / carers have the right to request access to information about them that we hold ("Subject Access Request"). To make a request for your child's personal data, or be given access to your child's educational record, contact the School Office Manager although any written request for personal data will be treated as a Subject Access Request.

The legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / carers to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. [For further

information about how we handle Subject Access Requests, please see our Data Protection Policy].

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the our data protection responsibilities.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Data Usage Regarding Schools Workforce**

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

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Teacher Reference Number
- Start date
- Location of employment or workplace
- Copy of driving licence
- Recruitment information (including copies of pre-vetting recruitment and identity checks (including, where appropriate, information about your employment history, Standard or Enhanced Disclosure and Barring Service Checks, Barred Lists Checks, prohibition checks [section 128 checks] and disqualification checks, for example under the Childcare (Disqualification) Regulations 2009 and any further checks that are required if you have lived or worked outside the UK), your nationality and right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Compensation history
- Performance information
- Disciplinary and grievance information, including warnings issued to you
- CCTV footage and other information obtained through electronic means such as swipecard records
- Information about your use of our information and communications systems
- Photographs

- work absence information (such as number of absences and reasons, which commonly includes health data)
- qualifications (and, where relevant, subjects taught)

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Genetic information and biometric data
- Information about your criminal record

## **Why we collect and use this information**

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- maintain safety of staff and pupils
- enable individuals to be paid
- manage the occupational health of the workforce

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

Whilst much of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

We collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, the Local Authority or other background check agencies.

We will also collect additional personal information in the course of job-related activities throughout the period of you working for us.

## **The lawful basis on which we process this information**

We process this information under UK GDPR Article 6 (b) the employment contract and Article 6 (c) e.g. Education Act 1996. Certain special characteristics are processed under

UK GDPR Article 6 (c) and Article 9 (b) e.g. Ethnicity information required by the Equalities Act 2010.

Full details of the legal basis for our data use is given in our Data Protection Impact Assessments which are available on request.

## **HOW WE WILL USE INFORMATION ABOUT YOU**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- (a) Where we need to perform the contract we have entered into with you.
- (b) Where we need to comply with a legal obligation.

We may also use your personal information in the following situations:

- (c) Where we need to protect your interests (or someone else's interests).
- (d) Where it is needed in the public interest or for official purposes.

## Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you, to enable us to comply with legal obligations and/or where it is needed in the public interest or for official purposes. The situations in which we will process your personal information are listed below. [

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Checking the award of Qualified Teacher Status, completion of teacher induction and prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions [via the Teacher Services Online platform]
- To maintain our single central record and to comply with our general safeguarding obligations
- To provide information on our website about our employees
- Paying you and, if you are an employee, deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering the contract we have entered into with you
- Business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Responding to complaints or investigations from stakeholders or our regulators
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Providing references to prospective employers
- Education, training and development requirements
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work

- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- In connection with the Transfer of Undertaking (Protection of Employment) Regulations 2006, for example, if a service is outsourced or in connection with an academy conversion.
- To maintain and promote equality in the workplace
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, such as the NCTL, the Department for Education, the DBS and the Local Authority about your suitability to work in a school or in connection with other regulatory matters
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- maintain safety of staff and pupils
- enable individuals to be paid

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving staff will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.]

### **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- (e) In limited circumstances, with your explicit written consent.
- (f) Where we need to carry out our legal obligations and in line with our [data protection policy.
- (g) Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy.
- (h) Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

### **Our obligations as an employer**

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence including the reasons for the leave, which may include sickness absence or family-related leave, sabbaticals, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to

provide appropriate workplace adjustments, to comply with the Equality Act 2010, to monitor and manage sickness absence and to administer benefits.

- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Do we need your consent?**

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- to carry out our legal obligations or exercise specific rights in the field of employment law;
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and we provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

In other circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract of employment with us that you agree to any request for consent from us.

### **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our recruitment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your employment with us.

### **DATA SHARING**

We may have to share your data with third parties, including third-party service providers and other organisation.

In particular, we may share your data with organisations including, but not limited to, the following:

- the Local Authority
- the Department for Education
- the Disclosure and Barring Service
- the Teaching Regulation Agency
- the Teachers' Pension Service
- the Local Government Pension Scheme which is administered by [London Borough of Enfield ]
- our external HR provider
- our external payroll provider
- Our IT Provider
- HMRC
- the Police or other law enforcement agencies
- our legal advisors
- insurance providers / the Risk Protection Arrangement
- Occupational Health Provider

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **Why might we share your personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you, where it is needed in the public interest or for official purposes, or where we have your consent.

### **Which third-party service providers process your personal information?**

“Third parties” includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services.

### **Department for Education**

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 our local authority (LA) and the Department for Education (DfE) under regulation 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 as amended.

### **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.

### **DfE data collection requirements**

The following is information provided by the DfE concerning the reason it collects data about school employees:

- The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005
- To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The 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 by:

- conducting research or analysis;
- producing statistics; and / or
- providing information, advice or guidance

The 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 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 the

DfE's strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the DfE's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

## **Occupational Health Provider**

We share personal data with Derwent Medical Practice, our occupational health provider, on a contracted basis to help us meet the legal requirements of the Health and Safety at Work etc., Act 1974 and related law and regulations.

Derwent's privacy statement can be read at Derwent Medical Centre's privacy statement can be read at

<https://www.derwentmedical.co.uk/website/E83037/files/Privacy%20Notice-%20Occupational%20Health.pdf>.

## **How secure is your information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **What about other third parties?**

We may share your personal information with other third parties. We may also need to share your personal information with a regulator or to otherwise comply with the law.

From time to time, we may disclose your personal data in response to a request for information pursuant to the Freedom of Information Act 2000 or following a data subject access request. We may approach you for your consent but, in any event, we will only disclose your personal data if we are satisfied that it is reasonable to do so in all the circumstances. This means that we may refuse to disclose some or all of your personal data following receipt of such a request.

## **Transferring information outside the EU**

We may sometimes transfer your personal data outside of the EU if, for example, we are arranging a school trip and we are booking transport, accommodation or activities. In these circumstances, we will obtain your consent for us to process your data in this way.

## **DATA SECURITY**

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties who are processing personal data on our behalf will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from School Business Manager.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **DATA RETENTION**

### **How long will we use your information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, insurance or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy which is available from the School Business Manager. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with our data retention policy and applicable laws and regulations.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Head Teacher in writing.

The legal timescales for the school / trust to respond to a Subject Access Request is one calendar month. As the school/trust has limited staff resources outside of term time, we encourage governor / trustees to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. [For further information about how we handle Subject Access Requests, please see our Data Protection Policy].

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the School Business Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **DATA PROTECTION OFFICER**

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact Carrie Bignell School Business Manager.**

## **Data Usage Regarding People Who Use School Facilities**

**The categories of facilities user information that we collect, process, hold and share include:**

- personal information (such as name, address, email, other contact details)
- special categories of data including characteristics information such as gender, age, ethnic group, vetting and barring information
- contract information (such as start dates, premises rented, financial transactions, usages of premises)

### **Why we collect and use this information**

We use facilities user data to:

- fulfil our contracts with you to provide facilities
- ensure payments are collected
- maintain safety of staff and pupils

### **The lawful basis on which we process this information**

We process this information under UK GDPR Article 6 (b) the contract to rent you facilities and Article 6 (c) e.g. Education Act 1996. Certain special characteristics are processed under UK GDPR Article 6 (c) and Article 9 (b) e.g. Ethnicity information required by the Equalities Act 2010.

Full details of the legal basis for our data use is given in our Data Protection Impact Assessments which are available on request.

### **Collecting this information**

Whilst much of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

### **Storing this information**

We store data as detailed in our retention schedule, available on request.

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

We do not routinely share this information

## Why we share facilities user information

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

## Requesting access to your personal data

Under data protection legislation, data subjects have the right to request access to information about them that we hold. To make a request for your personal information, please see the contact details below

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Contact Us

If you would like to discuss anything in this privacy notice, contact the school, the data protection officer or the regulator, details are given below.

### Contacting the school

We strongly recommend you contact the school directly with your concerns. The school can be contacted at:

By Email: [office@broomfield.enfield.sch.uk](mailto:office@broomfield.enfield.sch.uk)

By Phone: 0208 368 4701

By Post: Wilmer Way, Southgate, N14 7HY

### Contacting our Data Protection Officer

The Data Protection Officer for the school can be contacted as below. Please ensure you include which school is involved:

By Email: [schools.data.protection.officer@enfield.gov.uk](mailto:schools.data.protection.officer@enfield.gov.uk)

By Post: Data Protection Officer, Enfield Council Civic Offices, Silver St, Enfield, EN1 3XA

### Contacting the regulator

We recommend that you try to resolve the issue with the school or the Data Protection Officer in the first instance,

To contact the Information Commissioner's Office, please go to <https://ico.org.uk/concerns/>