



THE WESTGATE SCHOOL

Hampshire's First 4-16 'All Through School'

*"A community of learners where partnerships inspire success for all:
learning together, achieving excellence"*

Executive Headteacher: Mrs F A Dean MA (Ed), NPQH, MCCT

Head of School: Mrs J Edwards BA (Hons), PGCE

Privacy notice for employees.

1. Introduction.

Under the Data Protection Act (DPA) 2018, which sits alongside the General Data Protection Regulations

2018 (GDPR), and tailors how GDPR applies in the UK, individuals have a right to be informed about how

our school uses any personal data that we hold about them. We comply with this right by providing 'privacy

notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal

data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or

otherwise engage to work at our school. We, The Westgate School, are the 'data controller' for the

purposes of data protection law. Our data protection officer is our Strategic Site & Facilities Lead who can be

contacted via contact@westgate.hants.sch.uk.

2. The personal data we hold.

Personal data that we may collect, use, store and share (when appropriate) includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- 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
- 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
- Copy of driving licence

We may also collect, use, store and share (when appropriate) information that falls into "special categories"

of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Photographs and CCTV images captured in school
- Any health conditions you have that we need to be aware of
- NHS, and their Test and Trace programme.
- Sickness records
- Photographs and CCTV images captured in school
- Trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools

and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

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We use the data listed above to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Comply with the law regarding data sharing
- During the COVID-19 pandemic we may be asked to provide information in support of the NHS, and their Test and Trace programme.

3.1 Use of your child's personal data for marketing purposes.

Where you have given us consent to do so, we may send you marketing information by email or text

promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the

'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

4. Our lawful basis for using this data.

Our lawful bases for processing your data for the purposes listed in section 3 above are as follows in

accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school

as set out here:

We collect and use individual information under the following GDPR articles:

- Article 6(1)(e) – the 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(2)(g) – the processing is necessary for reasons of substantial public interest.
- Article 6(1)(c) provides a lawful basis - processing is necessary for compliance with a legal obligation to which the controller is subject
- Article 6(1)(d) - processing is necessary in order to protect the vital interests of the data subject or of another natural person
- Article 6(1)(f) - processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.”

Other lawful basics are:

- Relevant Task – Maintained Schools - Section 175 (2) of the Education Act 2002 - The governing body shall make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the school”
- Keeping Children Safe in Education 2020

5. Collecting this data

While the majority of information we collect is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you, will come from you, but we may also hold data about you from

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- Local authorities
- Government departments or agencies, for example NHS
- Police forces, courts, tribunals

6. How we store this data

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.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with

We do not share information about you with any third party without consent 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 outlined in serial 4), we

may share personal information about you:

- Our local authority to meet our legal obligations to share certain information with it, such as

safeguarding concerns and information about exclusions

- Government departments or agencies
- Suppliers and service supplier – under adoption signed (director level) of third party agreement
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities – for example NHS
- Security organisation
- Health and social welfare organisations
- Charities and voluntary organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

7.1 Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so

in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy

of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any

exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any

consequences of this

- Give you a copy of the information in an intelligible form
- You may also have the right for your personal information to be transmitted electronically to

another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

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Under data protection law, you have certain rights regarding how your personal data is used and kept safe.

For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated

means (by a computer or machine, rather than by a person)

- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict

its processing

- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations
- To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

- We take any complaints about our collection and use of personal information very seriously.
- If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire,

SK9 5AF

10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy

notice, please contact our our data protection lead - Our data protection officer is our Strategic Site &

Facilities Lead who can be contacted via contact@westgate.hants.sch.uk.

If you require more information about how the Local Authority (LA) and/or DfE store and use your

information, then please go to the following websites:

For Hampshire County Council:

The County Council has their own privacy notice, which can be accessed via the following link:

http://www3.hants.gov.uk/hcc_csd_privacy_notice_-_generic__sept_2014_-2.doc

To see how your information is used by the LA:

<http://www3.hants.gov.uk/education/schools/schoolsdataprotection.htm#section242880-3>

For the DfE:

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

If you are unable to access these websites we can send you a copy of this information.

Please contact the

LA or DfE as follows:

- Data Protection Team

Children's Services

Elizabeth II Court (North)

The Castle

WINCHESTER

SO23 8UQ

Website:

<http://www3.hants.gov.uk/learning>

email:

childrens.services.dp@hants.gov.uk

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Telephone:

01962 845320

- Public Communications Unit

Department for Education

Sanctuary Buildings

Great Smith Street

London

SW1P 3BT

Website:

email:

Telephone:

<https://www.gov.uk/government/organisations/department-for-education>

<http://www.education.gov.uk/help/contactus>

0370 000 2288

The Westgate School is registered as the Data Controller with the Information Commissioners Office

(Registration reference: ZA336960).