

Handsworth Pre-School Privacy Notice: Staff

(Data protection and Privacy)



1. About this Privacy Notice

Under data protection law, you have a right to know about how Handsworth Pre-School uses the personal data we hold. This privacy notice explains how we collect, store and use personal data about you.

This Privacy Notice applies to all adults who are employed by Handsworth Pre-School (“staff”). This includes those on permanent contracts; temporary contracts (e.g.: Learning Support Assistants); and cover staff. It includes individuals who have applied for employment at Pre-School but who have not been successful in securing a post.

If you have any questions about data and privacy, please speak to the Pre-School Leader or the Administrator. More information is also available in our Data Collection and Privacy Policy.

2. Why We Collect Personal Data: Our Legal and Contractual Framework

We are required by law to collect, hold and use (or ‘process’) data and information about you and your family whilst you are employed by Handsworth Pre-School.

The Early Years Foundation Stage (EYFS) requires us to “have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children, are suitable”. The EYFS also requires us to secure enhanced criminal records checks (DBS checks); and to record information about staff qualifications and identity checks. We are also required to disclose whether individuals may be subject to disqualification or whether action by their close family or household members may result in disqualification by association. We are also required to confirm that any medication taken by staff will not impair their ability to work with children. We must offer suitable training. We must ensure staff ratios are maintained.

OFSTED and the Charity Commission require us to maintain records to show that the leadership and management of Pre-School meets legal requirements. We are also required by financial legislation to keep accounting data including information about pay, pensions etc. and by health and safety legislation to keep records concerning, amongst other issues, accidents at work.

The EYFS requires that all the data is held securely and only accessible to those who have a right or a professional need to see.

3. The Personal Data We Hold

The data we collect, use, store and share (where appropriate) may include, but is not restricted to:

- Your name, address, telephone numbers, date of birth, gender, qualifications and work history and copies of documents confirming these details.

- Your national insurance number; bank details and information about your pay, taxation, pensions and benefits as appropriate.
- Information confirming background checks including enhanced criminal records checks (DBS); and references (as appropriate)
- Information about your health, medication and medical conditions. This may include reports from other professionals which are held on file by us. This may include any information you give us about dietary needs/allergies.
- Accident records, including those required by the Control of Substances Hazardous to Health (COSHH) regulations.
- Records of your attendance and absences.
- Any information recording any safeguarding concerns; Whistleblowing or Complaints.
- Copies of job application forms including Curriculum Vitae and other supporting documents. Records of interviews and assessments.
- Records of staff supervisions, appraisals or other work-related personnel meetings. Information relating to any disciplinary and/or grievance procedures.
- Information about training undertaken whilst employed by Pre-School.
- You may have either completed, or contributed to, records of general staff meetings, INSET days, planning meetings etc. and have been recorded as undertaking actions from our Improvement Plan or outcomes from audits or inspections.
- You may appear in, or have recorded, written outcomes or discussions with other agencies or professionals (for example, SEND reviews and EHCP meetings; safeguarding reviews etc.).
- Your picture may appear on the Pre-School website; newsletters or other information/publicity documents.

4. How We Use Your Data

We use your personal data to, for example:

- Confirm that our recruitment procedures meet the requirements of “Safer Recruitment”
- confirm that you are suitable for your role at Pre-School on recruitment and ongoing throughout your employment contract
- enable you to be paid; and for the correct pension contributions and entitlements, taxation and benefits to be applied as appropriate
- support effective performance management, training and development
- ensure that the Pre-School is run in accordance with the law and our regulatory framework; and
- ensure that the contract of employment between yourself and the Pre-School is fulfilled

The majority of the information we collect and hold on you is mandatory in order to fulfill or evidence our legal and regulatory requirements. We will make it clear when we collect personal information that is optional, and you have the right to withdraw or withhold this consent at any time.

5. How We Store Data

Maintaining your privacy and the confidentiality of your data and information is important. Most of the data we receive from you or about you is held on paper in your individual staff file. Staff files are held securely in lockable filing cabinets in the Pre-School Hall. The filing cabinets are housed in the cupboard

which is locked when Pre-School is closed. Some information will be held on computer by the Administrator. Information held electronically is password protected.

The Pre-School Treasurer, and our payroll processor (Sue Sleep, Redwood Pre-School) hold some records on computer.

We have a Data Protection and Privacy policy, which is regularly reviewed.

6. How Long We Keep Records

Our Data Protection and Privacy policy sets out retention periods for the data we collect. We will not store or keep personal data for longer than is necessary or required by law. When we destroy records, we shred paper records; and any electronic files are deleted.

The law requires us to keep some or all of your data for certain periods of time. Full details are set out in our Data Protection and Privacy policy.

In summary:

- Application forms and interview notes for unsuccessful candidates will be stored for six months from the date of interview.
- Details in your individual staff file, including performance reviews, appraisals, attendance and absence records, training and development records will be held for 6 years after your employment ceases.
- Records of enhanced criminal records checks (DBS) and annual declarations of disqualification or disqualification by association will be held for up to 6 years after your employment ceases.
- Records of complaints, grievances, Whistleblowing etc. made by or involving you, will be held for 6 years after your employment cease. Records of unfounded safeguarding/child protection allegations must be kept until your normal retirement age or 10 years after the date of the allegation, whichever occurs soonest. Records of allegations found to be malicious will be deleted once the outcome has been confirmed by the relevant statutory authorities.
- Records of your pay, salary, tax and National Insurance returns, any payable benefits and/or redundancy details must be kept for between 3-6 years depending on which regulations are applicable under the law or recommendations from regulatory and professional bodies.
- Records of your pension scheme must be kept for 6 years after the automatic enrolment staging date.
- Records of accidents or reportable incidents must be kept for 3 years after the date the record was made. Incidents recordable under COSHH regulations must be kept for 40 years after the date of the last entry.
- Assessments made under Health and Safety regulations will be kept for the lifetime of the Pre-School.
- Records of meetings, minutes etc. will be kept for the lifetime of the Pre-School.

- Insurance and liability records will be kept for the lifetime of the Pre-School.

7. Data Sharing

The law requires us to share some personal information. This includes sharing data with:

- statutory authorities if there is a safeguarding concern
- the Local Authority and the Department of Education
- OFSTED, when we renew or update our registration and when they come to inspect us.
- the Charity Commission, in order to maintain our registration as a charity
- other regulatory authorities that may need access to our records, for example, financial auditors or health and safety inspectors or organisations.

We share the personal information you provide when you complete your DBS check form with the government's Disclosure and Barring Service. This is managed online by Capita Recruitment and Vetting Service.

Your bank, salary and other pay details is shared with the Treasurer. Personal data will also be shared with Sue Sleep who processes our payroll. Sue is employed by Redwood Pre-School but processes our payroll as a discrete activity. Your data is not shared with Redwood Pre-School. Some salary data is shared to Her Majesty's Revenue and Customs (HMRC) in order to facilitate taxation.

If you have a pension through NEST, we will share some details with the NEST Corporation in order to administer your pension. The NEST Corporation is a non-departmental public body accountable to the government.

Some of your personal details may be shared with the Parent Committee: The Chair, Vice Chair, Secretary, Treasurer and/or other members if nominated by the Chair and as appropriate. The purpose of sharing information with the Committee is generally, but not limited to, supporting the assessment of pay and pay rises; and performance management.

We will not share your data with any other third parties without your permission unless the law requires us to do so. We will never sell your data to third parties for marketing purposes; or use your data to make automated decisions.

8. Your rights

You have the right to:

- Ask to see, amend or update your personal data
- In certain circumstances, ask that we delete, destroy or stop processing your personal data
- Ask that we transfer your personal data to another person

If you wish to exercise any of these rights, please speak to the Pre-School Leader or the Administrator. You may be asked to put your request in writing.

9. Complaints and Contact Details

In the majority of cases, we would expect to be able to respond to any questions or comments about how we collect and use your personal data sufficient to satisfy any concerns you may have. However, if you remain dissatisfied you may:

- Make a formal Complaint to Pre-School, following our Complaints Procedure. (Details are in the Parent Handbook and in our Complaints Policy, which is published on our website.)
- Make a complaint to the Information Commissioner's Office (ICO). You can contact the ICO online, (www.ico.org.uk); or by phone (030 123 1113). You can also write to them at: ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

10. Review

This Privacy Notice will be subject to regular review. Copies of updated or new versions of this Notice will be sent to you when applicable.