



# The Leys Primary & Nursery School

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## Privacy notice for the school workforce - January 2026

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## 1. Introduction

Under data protection law, 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 Leys Primary and Nursery School, Ripon Road, Stevenage, Hertfordshire, SG1 4QZ, 01438 314148, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Patrick Aikman (see 'Contact us' below).

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## 2. The personal data we hold

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

- Contact details
- Date of birth, marital status and gender
- 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
- DBS certificate information and barred list check results
- Teacher prohibition check results (where applicable)
- Information about your subscription to the DBS Update Service (where applicable)

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:



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- Any health conditions you have that we need to be aware of
- 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, the Disclosure and Barring Service in respect of criminal offence data, and the Teaching Regulation Agency in respect of teacher prohibition orders.

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### 3. Why we use this data

We use the data listed above to:

1. Enable you to be paid
2. Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
3. Support effective performance management
4. Inform our recruitment and retention policies
5. Allow better financial modelling and planning
6. Enable equalities monitoring
7. Improve the management of workforce data across the sector
8. Support the work of the School Teachers' Review Body
9. Meet our statutory obligations to submit data for the annual school workforce census

#### 3.1 Safe recruitment and safeguarding

As part of our safer recruitment processes and ongoing safeguarding obligations, we process personal data to:

- Verify your identity and right to work in the UK
- Obtain enhanced DBS certificates (with barred list information where you are engaging in regulated activity with children)
- Check whether you are subject to a prohibition order (for teaching roles) or any sanctions imposed by the General Teaching Council for England (prior to its abolition in 2012)
- Verify your professional qualifications
- Obtain references from previous employers
- Monitor your subscription to the DBS Update Service (where applicable)

These checks are carried out in accordance with **Keeping Children Safe in Education** (statutory guidance from the Department for Education, September 2025).

#### 3.2 Use of your 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).



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## 3.3 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

Staff members have a right to object to profiling and, in the case of automated decision making, a right to:

- Obtain human intervention
- Express their point of view
- Obtain an explanation of the decision made and challenge it

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## 4. Our lawful basis for using this data

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

- **For the purposes of 'E', 'F', 'G', 'H', 'I'**, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school as set out in the Education Act 2002 and the Education (School Information) (England) Regulations 2008
- **For the purposes of 'B' and the safe recruitment processes described in 3.1**, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law, including:
  - Keeping Children Safe in Education (DfE statutory guidance, September 2025)
  - The School Staffing (England) Regulations 2009
  - The Education (Independent School Standards) Regulations 2014
  - Safeguarding Vulnerable Groups Act 2006
  - The Equality Act 2010
  - Employment Rights Act 1996
- **For the purposes of 'D'**, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- **For the purposes of 'A', 'C'**, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

## 4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you



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- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

## 4.2 Our basis for using criminal offence data

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation, including for the purposes of safeguarding children and individuals at risk

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## 5. Collecting this data

While the majority of information we collect about you 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:

- Local authorities
- Government departments or agencies (including the Department for Education and the Teaching Regulation Agency)
- The Disclosure and Barring Service
- Police forces, courts, tribunals
- Previous employers (references)
- Professional bodies and qualification awarding organisations

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## 6. How we store this data

We keep personal information about you while you work at our school. We may also keep it beyond your employment at our school if this is necessary.

### 6.1 Record retention periods



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We retain different types of staff records for different periods, in accordance with legal requirements and best practice guidance:

- **General personnel files:** 6 years after employment ends
- **Payroll and salary records:** 6 years after the end of the financial year to which they relate
- **Sickness records:** 6 years after employment ends
- **Recruitment records** (for unsuccessful candidates): 6 months after the recruitment process concludes
- **DBS certificates and related checks:** We do not keep copies of DBS certificates, but we record that the check was carried out, the level of check, the unique reference number, and the date. This information is kept while you are employed and for 6 years after employment ends
- **Allegations against staff:** Records are retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Details of allegations that are found to have been malicious or false are removed from personnel records unless the individual gives their consent for retention of the information

For all other records, please see our Data Protection Policy for details of our record retention periods.

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.

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## 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), we may share personal information about you with:

- **Our local authority** (Hertfordshire County Council) to meet our legal obligations to share certain information with it, such as safeguarding concerns and workforce census data
- **The Department for Education (DfE)** – we are required to share information about our workforce members with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. This is for the purpose of the annual school workforce census
- **Government departments or agencies**, including the Teaching Regulation Agency
- **The Disclosure and Barring Service** – we may share information where we have a legal duty to refer individuals to the DBS where the referral criteria are met
- **Our regulator, Ofsted**
- **Suppliers and service providers:**
  - Serco Payroll (or current payroll provider)
  - HFL HR
  - Our IT support provider
  - Our insurance providers
- **Financial organisations** (e.g. pension providers, banks)
- **Our auditors**



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- **Survey and research organisations**
- **Health authorities**
- **Security organisations**
- **Health and social welfare organisations**
- **Professional advisers and consultants**
- **Charities and voluntary organisations**
- **Police forces, courts, tribunals**
- **Professional bodies** (e.g. teaching unions, professional associations)

## 7.1 Department for Education data sharing

The Department for Education (DfE) collects personal data from educational settings and local authorities. We are required to share information about our workforce members with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

The data we share with the DfE includes:

- Personal details (such as name, date of birth, gender)
- Employment details (such as role, contract type, working hours)
- Qualifications and training records
- Salary information
- Absence data

The DfE uses this data to:

- Improve the management of workforce data across the education sector
- Support research and analysis
- Inform policy decisions
- Monitor and report on the performance of the education system

To find out more about the data collection requirements placed on us by the DfE, 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 wellbeing of children or the effective deployment of school staff in England by:

- Conducting research or analysis
- Producing statistics
- 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 are 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
- The arrangements in place to securely store and handle the data

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

## 7.2 Transferring data internationally



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Where we transfer your 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.

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## 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

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).

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## 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.



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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

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## 10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

**Patrick Aikman** – [patrick@schoolposervice.com](mailto:patrick@schoolposervice.com)