



Privacy Notice No: 007
Date Created: 09/06/2020
Date Published: 21/08/2020
Version Number: 1.1
Document ID:

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Please check the School Finder on the Caerphilly County Borough Council website for individual school contact details:

<https://www.caerphilly.gov.uk/Services/Schools-and-learning/Schools>

Alternatively, the *Starting School* booklet includes the contact details for all Caerphilly schools.

Description of Privacy Notice: This privacy notice will explain how Caerphilly County Borough Council and the school processes personal information of school-based employees for the purposes of Information Governance training.

How we will use your information

Purpose and legal basis for using your information

Purpose for processing

Information Governance covers all aspects of handling information, including:

- responding to requests under the Freedom of Information Act (FOI) and Environmental Information Regulations (EIR);
- managing personal data to comply with the Data Protection legislation,
- controlling information risk and
- effective records management.

The school and Caerphilly County Borough Council provides training and information in respect of the above for all school-based staff, and so may record the following information about you:

Category of information	Purpose for Processing
Your name, employee number, work contact details, and school name	For the purpose of identifying you.
Details of training courses that you have been booked to attend, together with your attendance / non-attendance.	For the purpose of demonstrating that training has been provided and to chase those who have not attended.
Any feedback forms or equality monitoring forms you have completed in respect of our training.	For the purpose of improving the content of courses offered / equality monitoring purposes.
Any knowledge tests you have completed / not completed and the results.	For the purpose of demonstrating your understanding of the course content that the knowledge test relates to and improving course content.

Legal basis for processing

In order for the processing of personal data to be lawful under the UK General Data Protection Regulations, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

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.

Data Protection legislation provides extra protection for certain classes of information called 'special category personal data'. If any information falls within the definition of special category personal data (e.g. equalities information), then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

8 (1) This condition is met if the processing—

- (a) is of a specified category of personal data, and*
- (b) is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people specified in relation to that category with a view to enabling such equality to be promoted or maintained, subject to the exceptions in sub-paragraphs (3) to (5).*

Who will have access to your information?

Identity of Data Controller and Data Protection Officer

The Data Controller for your information is Caerphilly County Borough Council and the school(s) you are, or have been, employed in.

You can contact the Data Protection Officer on 01443 864049, or by email at dataprotection@caerphilly.gov.uk

Details of main users of your information

The main users of your information will be Caerphilly County Borough Council (who employ school-based staff to work in individual schools) and the school(s) you are employed in. These include:

- ❖ School-based managers and supervisors relevant to position (i.e. the Headteacher and Senior Management Team) for performance management purposes, such as non-completion of training and knowledge tests. Please be aware the latter may result in action being taken by your school.
- ❖ Special category personal data relating to a disability may be seen by Caerphilly County Borough Council People Services Department staff and the Senior Management Team based at each school. Other staff may be notified if there is a requirement to make reasonable adjustments within the workplace.
- ❖ Knowledge test results and attendance of training courses may be added to individual's electronic Human Resource file (iTrent) by People Services.

Details of sharing your information with other organisations

We may be required to share certain employee information with internal services and/or specific external organisations, but only with a clearly defined reason and an appropriate legal basis under data protection law.

We always ensure that the sharing of personal information is securely undertaken.

Organisation	Reason	Lawful Basis
Caerphilly County Borough Council	To support schools with providing training and monitoring/tracking staff performance under the Information Governance SLA	Processing necessary for performance of a legitimate interest (Art 6 UK GDPR)
	To provide IT support digital systems used for the administration of HR and Payroll services.	Processing necessary for performance of a legitimate interest (Art 6 UK GDPR)
Information Commissioners Office (ICO)	We may need to share your information governance training record should you be responsible for a data protection breach or an offence under information governance legislation. This is so a determination can be made of whether the breach was a result of inadequate training.	Compliance with a legal obligation (Art 6 UK GDPR)

The Courts	For instances where action is taken by an individual through the court system for breach of data protection legislation and/or a request for compensation. (If you are responsible for the data protection breach, your training record may need to be shared with the courts in order to defend the action being taken against CCBC and/or the school.)	Compliance with a legal obligation (Art 6 UK GDPR)
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Requests for information

All recorded information held by Caerphilly County Borough Council and the school(s) you are, or have been, employed in may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004, and Data Protection legislation (UK General Data Protection Regulations and Data Protection Act 2018).

If the information you provide is subject to such a request, where possible, Caerphilly County Borough Council and the school will consult with you on its release. If you object to the release of your information, we will withhold your information if the relevant legislation allows.

How long will we retain your information

Details of retention period

We hold school-based employee data securely for the set amount of time documented in our data retention schedule that is determined through statutory requirements and best practice.

Training completed and knowledge test results up to 25 years (Limitation Act 1980).

Caerphilly County Borough Council and the school will retain information in line with guidance from the *IRMS Schools Toolkit* available to view at <https://irms.org.uk/page/SchoolsToolkit>

Your Rights (including Complaints Procedure)

Your rights under data protection law

Data Protection laws give data subjects (those who the information is about) a number of rights, which include:

- **Right to be informed** how personal data is collected, stored, managed, protected, and processed.
- **Right of access** to request a copy of personal information held of yourself. However, please be aware that information can sometimes be legitimately withheld.
- **Right to rectification** of inaccurate or incomplete personal data.

- **Right to erasure** where you have the right to have your personal data erased in certain circumstances. This does not include any personal data that must be retained by law.
- **Right to restriction**, which allows you to limit the way we use your personal data in some circumstances.
- **Right to portability** gives an individual the right to receive copies of data provided to a controller in a portable format.
- **Right to object** to the processing of one's personal data; and the final one is the
- **Rights in relation to automated decision making and profiling.**

To enact your rights, please contact Caerphilly County Borough Council or the school as detailed at the top of this document. A copy of any individual right request and your response will be kept for 3 years.

Complaints Procedure

If you are unhappy with the way we have handled your request / information, you have the right of complaint. Please contact the Data Controller responsible for processing your information in the first instance and outline your concerns.

Examples that describe which Data Controller to contact if you are unhappy with the way we have handled your request / information:

- ❖ Any concerns relating to a request submitted to either Caerphilly County Borough Council People Services or the school directly for a copy of personal data held about you should be sent to the Data Controller who processed the request.
- ❖ Any concerns relating to the way we have handled your personal information should be sent to the Data Controller responsible for the information (please see below).

Caerphilly County Borough Council People Services

- Information relating to employment contracts, payroll, and/or tax.

The school(s) you are employed in

- Information relating to performance management (i.e. absence / training records, Professional Development Reviews, etc.)

If you remain unhappy, you can contact the Data Protection Officer on 01443 864322 / dataprotection@caerphilly.gov.uk

You also have the right to ask the Information Commissioner, who enforces and oversees the Data Protection Act in the UK, to assess whether or not the processing of personal information is likely to comply with the provisions of our legislative responsibilities. Further information on your rights is available from: www.ico.org.uk.