

# Privacy Notice

October 2023

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

As part of the School Workforce Census, we collect personal data about the Council workforce in schools to help the Council to meet statutory obligations; to pay staff; and to enter into (and comply with) contracts of employment.

This notice applies to potential, current and former employees. It is important that you read this notice so that you know how and why we use information about you.

## **About the Organisation**

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address: West Berkshire Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: **Z6825178**

<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

## **The Data Protection Officer**

Contact details for the Data Protection Officer at the Council can be found at:

<http://info.westberks.gov.uk/dpofficer>



West Berkshire  
C O U N C I L

Date of Issue: 10 October 2018

Update History:

10 October 2018	First issue of a new Privacy Notice
12 <sup>th</sup> October 2021	General Review to reflect changes in SWC and DP arrangements
31 <sup>st</sup> October 2023	General review to check links and legal bases, and formatting update

Directorate: Resources  
Service: Human Resources

## **THE PERSONAL DATA WE HOLD ABOUT YOU**

Each year, the School Workforce Census requires us to collect the following data from schools about their workforce:

- Full name
- National Insurance number
- Characteristics such as ethnic group and gender
- Employment contracts
- Remuneration details including pay review dates for teachers
- Qualifications
- Information on tracking the progress of Early Career Teachers through their induction
- Information about absences

## **HOW WE USE YOUR DATA**

We process personal data relating to those we employ to work at schools that are controlled by the Council as the Local Education Authority.

The collection of this information will benefit both national and local users by:

- Improving the management of workforce data across the sector
- Enabling development of a comprehensive picture of the workforce and how it is deployed
- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teachers' Review Body

The workforce data that we lawfully share with the Department for Education through periodic data collections:

- Informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- Links to school funding and expenditure
- Supports 'longer term' research and monitoring of educational policy

## SHARING YOUR PERSONAL DATA

Your data will be seen by:

- **The Council** - schools are required to share information about workforce members with their local authority (LA) by law. This information comprises the basis of the census return to the DfE. Access to the data is strictly controlled and only extended to specific members of staff with the correct training and expertise.

And

- **Department for Education (DfE)** - the School Workforce Census return is submitted and approved by West Berkshire Council to the Department for Education (DfE).

## PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a “legal basis” for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

The Council is processing the data it receives as part of the School Workforce Census according to the legal obligation placed on it by Section 5 of the *Education (Supply of Information about the School Workforce (England) Regulations 2007 and amendments)*.

The legal basis that we are using this information is found under Article 6c of the GDPR: namely that the processing is necessary for the Council to fulfil a legal obligation, and Article 6e of the GDPR: namely that the processing is necessary for the performance of a task carried out in the public interest.

As such, there is no legal right to refuse processing, as we are legitimately required to do this by UK law. You have certain rights when it comes to your data; there’s more on these below (see “Your Rights”).

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, and what they do with it, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Should you have further questions about the way that your data is used once it is submitted, contact them DfE at <https://www.gov.uk/contact-dfe>

## **HOW YOUR DATA IS STORED AND PROCESSED**

Your data will be held on COLLECT the portal used for processing data collection returns and will be protected using up-to-date technical and organisational security measures.

## **RETAINING YOUR PERSONAL DATA**

Your personal data will not be kept longer than necessary.

You can check how long the Council will keep each type of data against our retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention)).

## **YOUR RIGHTS**

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

- Request access to your personal information (commonly known as a "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.
- Withdraw consent to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. 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.

## **HOW TO MAKE A REQUEST**

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

## **INTERNATIONAL TRANSFERS**

Your personal data will not be processed outside the UK or by an international organisation.

## **COMPLAINTS**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: [Make a complaint | ICO](#)

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Website: <https://ico.org.uk>

Tel: 0303 123 1113

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

**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.