# Privacy Notice (How we use children’s social workforce information)

**[Suggested wording to make available to those employed to work, or otherwise engaged to work, at a local authority to explain how you use their personal information. You must review and amend to reflect local needs and circumstances, as you will process data that is not solely for use within data collections]**

## The categories of information that we process include:

These include:

* personal information (Social Work England number)
* characteristics information (such as sex, age, ethnic group)
* contract information (such as start date, FTE, role, salary information)
* work absence information (such as number of days missed due to sickness absence)
* qualification level

**[Local authorities need to add to this list other categories of workforce information that they process, for example; relevant medical information, addresses, and other payroll information.]**

This list is not exhaustive, to access the current list of categories of information we process please see **[link to website or location of data asset register / current privacy notice]**

## Why we collect and use workforce information

**[Local authority to insert both the purposes and lawful bases for collecting and using workforce information]**

We use workforce data to:

1. enable the development of a comprehensive picture of the workforce and how it is deployed
2. improve the management of workforce data across the sector
3. inform the development of recruitment and retention policies
4. enable individuals to be paid
5. enable monitoring of selected protected characteristics

**[Local authorities need to add to this list all other reasons for which they collect and use workforce information]**

Under the [UK General Data Protection Regulation (UK GDPR)](https://www.gov.uk/data-protection), the legal basis / bases we rely on for processing personal information for general purposes are:

**[Local authority to insert the lawful basis (bases) for collecting and using personal information for general purposes (must include a basis from Article 6, and one from Article 9 where data processed is special category data from the UK GDPR). Ensure you list all relevant legislation that supports the lawful basis. For Department for Education (DfE) data collections see relevant legislation for each specific** [data collection](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you collect data for]**

* for the purposes of **[Insert purpose / purposes]** in accordance with the legal basis of **[Insert legal basis]**

In addition, concerning any special category data:

* conditions **[Insert conditions]** of [UK GDPR - Article 9](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/)

**[Local authorities to extend to list lawful basis for each purpose they are processing for]**

## Collecting workforce information

We collect personal information via **[explain method of data collection used, for example, staff contract forms].**

Workforce data is essential for the local authority’s operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

## Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit **[link to website]**

**[Local authorities should explain or reference the appropriate data retention documents that show where data is held, the security arrangements (high level), and policies about safe use of data within the local authority. Ideally, this section should link to policies that are easily accessible and regularly reviewed].**

## Who we share workforce information with

We routinely share this information with:

* our local authority (where applicable)
* the Department for Education (DfE)

**[Local authority to amend and extend this list to include all other parties with whom they regularly share information. Once stated you also need to explain why you share the data and what makes it lawful below]**

## Why we share workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

**[Local authority to explain why they share workforce data and insert any relevant legislation for sharing it with those named in ‘Who we share this information with’ section. It is also useful to state how the data is transferred and link to any data retention policies where available]**

## Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our workforce with the Department for Education (DfE) for the purpose of those data collections, under:

**[Local authority to insert relevant legislation for their sharing of information with Department for Education (DfE). See relevant legislation for each specific** [**data collection**](https://www.gov.uk/education/data-collection-and-censuses-for-schools) **you complete]**

**Examples for Children’s social worker workforce census:**

We are required to pass information about our child and family social work workforce employees to the Department for Education (DfE) through regulations under [Section 83 of the Children Act 1989](https://www.legislation.gov.uk/ukpga/1989/41/section/83).

All data is transferred securely and held by Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](https://www.gov.uk/government/publications/security-policy-framework).

For more information, please see ‘How Government uses your data’ section.

For privacy information on the data the Department for Education (DfE) collects and uses, please see:
<https://www.gov.uk/government/publications/privacy-information-local-authority-employees/privacy-information-local-authority-employees>.

## Requesting access to your personal data

The UK-GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact **[local authority to include details of their administrator / Data Protection Officer]**

You also have the following rights:

* the right to be informed about the collection and use of your personal data – this is called ’right to be informed’.
* the right to ask us for copies of personal information we have about you – this is called ’right of access’, this is also known as a subject access request (SAR), data subject access request or right of access request.
* the right to ask us to change any information you think is not accurate or complete – this is called ‘right to rectification’.
* the right to ask us to delete your personal information – this is called ‘right to erasure’
* the right to ask us to stop using your information – this is called ‘right to restriction of processing’.
* the ‘right to object to processing’ of your information, in certain circumstances
* rights in relation to automated decision making and profiling.
* the right to withdraw consent at any time (where relevant).
* the right to [complain to the Information Commissioner](https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

* right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
* right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
* right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don’t haven’t the right to object, but you have the right to withdraw consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at [raise a concern with ICO](https://ico.org.uk/concerns/)

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the ‘How Government uses your data’ section of this notice.

## Withdrawal of consent and the right to lodge a complaint

**[For use where consent is the lawful basis. Therefore, where consent is NOT used, this section will need to be deleted]**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting **[identify a suitable representative here xxxxxx along with their contact details]**

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **[insert data notice was drafted/last updated].**

## Contact

If you would like to discuss anything in this privacy notice, please contact: **[Insert name and / contact details of your administrator / data protection officer]**

# How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

• informs government policy on matters related to child and family social workers

• may be used to inform the distribution of funding to local authorities

• supports ‘longer term’ research and monitoring of children’s social care policy

## Data collection requirements

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, go to

<https://www.gov.uk/guidance/childrens-social-work-workforce-census-guide-to-submitting-data>

## Sharing by the Department for Education (DfE)

The Department for Education (DfE) may share information about registered social workers who are working within local authorities with third parties who promote the effective deployment of public-sector children’s social work workforce in England by:

* conducting research or analysis
* producing statistics
* providing information, advice or guidance

The Department for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education’s (DfE) data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department for Education (DfE) has provided information, (and for which project) please visit the following website:
<https://www.gov.uk/government/publications/dfe-external-data-shares>

**How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

* if they are processing your personal data
* for a description of the data they hold about you
* the reasons they’re holding it and any recipient it may be disclosed to
* for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a ‘subject access request’. Further information on how to do this can be found within the Department for Education’s (DfE) personal information charter that is published at the address below:
<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>
or
<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-right>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>