

GENERAL DATA PROTECTION REGULATIONS [GDPR] 2018

PROCESSING DATA AND RETENTION SCHEDULE – EDUCATION HR

Education HR receives information from customer schools about school staff for the purpose of providing advice and guidance in accordance with the Service Level Descriptor and contract for services. Such information is held and processed in accordance with the General Data Protection Regulations as set out in the EES for Schools Data Protection Policy Statement and general Terms and Conditions for service contracts.

The customer school remains, at all times, the Data Controller in respect of this data.

As such the school is obliged to ensure that:

- the information provided to HR is accurate, up to date and limited to the information required to obtain advice;
- that the information is transmitted to HR securely using password protection / encryption;
- that appropriate privacy notices have been issued to its staff and in the case of occupational health reports, explicit written consent obtained from the employee; and
- a personal file is maintained for each member of staff and that these records are retained in accordance with the school's retention schedule.

EES for schools is a data processor. As such EES for schools does not accept responsibility for the maintenance or retention of any records in relation to staff employed in schools that may be required in law. Data will be only be retained by Education HR in accordance with the retention schedule set out below.

Data is processed by EES for Schools Education HR for the following purposes:

- it is necessary for the performance of the contract with the school;
- for the effective performance of Essex County Council's responsibilities as the employer in Essex Community and Voluntary Controlled schools and as the employer for pension purposes in Essex Maintained schools;
- for the defence of legal claims against Essex County Council;
- to comply with our statutory duty to safeguard children or other obligations in law.

Data may be shared by EES for Schools Education HR as follows:

- with the Direction of Education (or her team) in connection with her statutory responsibilities (Essex Maintained Schools only);
- the Local Authority Designated officer for the safeguarding of children;

- Legal Services where a contract for services exists between them and the school and the school has requested direct liaison or in the case of Essex Legal Services where they provide advice to Essex County Council as employer;
- Trade Union and professional association officials where employees have consented in writing to them acting on their behalf;
- Occupational Health subject to express written consent of the individual employee;
- Essex Pension Fund (Maintained Schools only as Essex County Council is the employer for Pension Purposes);
- future employers as required under TUPE Regulations;
- payroll providers for the processing of necessary payments;
- in response to Subject Access Requests;
- other circumstances as maybe required by law including the Police and the Disclosure and Barring Service, NCTL (or successor).

In accordance with the General Data Protection Policy Statement and Terms and Conditions, Education HR employs the following security measures in respect of staff data:

- All electronic records are held on the secure ECC network with additional password protection for all files, restricted to relevant HR staff.
- All paper records are held in locked filing cabinets within the HR office and access restricted to relevant HR staff.
- Sensitive information is transmitted to and received from schools using appropriate password protection / encryption.

Data retention

Education HR will maintain records only for as long as is necessary to fulfil the service contract with the customer schools and/or as is necessary in law. Paper and electronic records will be securely disposed of in accordance with the schedule.

Data	Retention Period	Legal or other basis
Case files* (safeguarding)	Employee's normal retirement age or end of employment +10 years, whichever is longer	Statutory Guidance: Keeping Children Safe in Education, Working together to Safeguard Children.
Case Files* (other – no dismissal or other assessed liability under employment law)	Until conclusion of the case	
Case files (other – dismissal or other termination or where there is an assessed liability under employment law)	Termination date/conclusion of the case + 6 months	In case of an employment tribunal claim.
Single Central Records provided for Audit purposes and Reports	One half term from date of report to manage any queries	In case of subsequent queries from the customer school.
General correspondence regarding named individuals	Emails are deleted half termly	
Personal Files (from closed schools)	Date of closure + 6 years	
Redundancy & Pension Estimates	In accordance with case files for those made redundant Conclusion of procedure for others.	

*case files includes a central case log and a case file containing all emails and other electronic or scanned paper correspondence, reports etc. related to the case.