



Llywodraeth Cymru
Welsh Government

Welsh Government privacy notice for individuals associated with the School Workforce Annual Census.

In accordance with General Data Protection Regulation (GDPR), this notice sets out what the Welsh Government does with the information that it receives from schools and local authorities about the school workforce in Wales.

The information in this notice will be kept under review to incorporate any further changes communicated by the Information Commissioner's Office (ICO). The information in the notice should contribute to wider notices issued by the school and local authority.

1. Background

The School Workforce Annual Census (SWAC) is an annual statutory data collection of information about the workforce in maintained schools in Wales.

The **Welsh Government** receives information on the school workforce directly from schools and local authorities as part of the SWAC. In accordance with the [Education \(Supply of Information about the School Workforce\) \(Wales\) Regulations 2017](#), made under [section 113\(2\) and \(3\)](#) of the [Education Act 2005](#).

The SWAC covers all maintained school settings in Wales, including:

- maintained nursery schools;
- maintained primary schools;
- maintained middle schools (through age schools);
- maintained secondary schools;
- maintained special schools; and
- pupil referral units (PRUs).

For a full list of staff to be included please see [here](#)¹.

Upon receipt of the information from the school and local authority, the Welsh Government becomes the data controller.

2. What information is received by the Welsh Government?

¹ Data items collected in the School Workforce Annual Census (SWAC): <https://gov.wales/school-workforce-annual-census-swac-privacy-notice>

Personal data is defined under the General Data Protection Regulation (GDPR) as ‘any information relating to an identifiable person who can be directly or indirectly identified by reference to an identifier’

The categories of school workforce information that will be collected and held include:

- ✓ Personal and special category information about you, such as:
 - Teacher reference number (TRN);
 - First name;
 - Middle name(s);
 - Surname;
 - Date of birth;
 - Sex;
 - Ethnic group;
 - Disability status; and
 - National insurance number.
- ✓ Information on your pay and contracts (such as pay scales, allowances, remuneration, and reason for leaving).
- ✓ Information on your absences (including absence length and type)
- ✓ Information on Welsh language skills
- ✓ Information on the subjects you teach, post type and associated roles.

A full list of data items collected as part of the SWAC can be found [here](#)².

3. What is the lawful basis for using your data?

The lawful basis for processing information in this data collection exercise is in our public task; that is, exercising our official authority to undertake the core role and functions of the Welsh Government. Some of the data we are collecting are called ‘special category data’ (in this case ethnicity and disability) and the lawful basis for processing this information is that it is for statistical or research purposes.

4. What is the Welsh Government doing with your information?

As data controller, the Welsh Government uses the information received to carry out data processing necessary for the performance of tasks carried out in the public interest and in the exercise of official authority.

Data will be used for:

- ✓ Statistical and research purposes to support the formation of education policy, through the building of a comprehensive evidence base to inform, influence and improve the planning of services for people in Wales.

² Data items collected in the School Workforce Annual Census (SWAC): <https://gov.wales/school-workforce-annual-census-swac-privacy-notice>

- ✓ Supporting robust forecasting of teachers' pay in Wales, informing negotiations and decisions on pay and conditions and providing greater evidence to support future workforce planning.
- ✓ The production of school and local authority level analysis for schools, local authorities and regional consortia.
- ✓ Identifying and reducing causes of employment, skills and pay inequalities related to gender, ethnicity, age and disability.
- ✓ Linking with other data sets, in order to inform wider education, health and social policies. Examples of data sets that we may link include student and graduate data from the Higher Education Statistics Agency (HESA) or employment and welfare data from The Department of Work and Pensions (DWP). We will only link data sets where the law allows us to do so.

In addition to data protection legislation, our use of data for statistical purposes is also managed in accordance with the [Code of Practice for Statistics \("the Code"\)](#). Principle T6 of the Code covers data governance.

Information derived from the data is published as anonymous official statistics and in many accessible formats for use by a wide range of organisations and individuals (including, academic researchers, private companies, professional bodies and the media). Any statistics published or responses to requests for analysis are anonymised and non-disclosive, meaning that individuals cannot be identified.

Results from analyses carried out using the data will be made available at an aggregated level in statistical or research publications via the [Welsh Government website](#) and also via data placed on the [StatsWales website](#).

External users such as schools, local authorities, the Office of National Statistics (ONS), the media and the wider public will be able to use this published information for their own purposes, such as workforce management and planning; to improve practice and to hold government to account.

5. Who does the Welsh Government share your information with?

Organisations the Welsh Government may share your personal information with include:

- Her Majesty's Chief Inspector of Education and Training in Wales (Estyn);
- the Secretary of State in England;
- the administrator of the Teacher's Pension Scheme;
- local authorities in Wales;
- the Education Workforce Council (EWC);
- the governing body of a maintained school in Wales; and
- the office of manpower economics.

Accredited researchers, such as academics and educational researchers, and other public sector bodies in Wales may request access to data. These requests are scrutinised by the Welsh Government's Chief Statistician and - if approved - are governed by Data Access Agreements issued by the Welsh Government. These formal agreements set out strict requirements for the processing and safekeeping of personal data, including:

- ensuring the secure transfer, storage and eventual destruction of the data;
- only including personal information if there is a clear requirement, legal basis and significant justification;
- limiting the use to the specific requirement identified, ensuring that no individual can be identified in any published reports; and
- only allowing the data to be stored for the duration of the research project, requiring the data to be destroyed after that period.

Data from SWAC will be matched over time to allow for longitudinal analysis or linked to other data sources using a trusted third party for non commercial research purposes. Linked and matched data doesn't provide identifiable information to researchers. We do not share or use your information for commercial or marketing purposes. For more information regarding how we match and link data and the relevant third part organisations please visit [here](#)³.

6. How long will we keep this data?

Personal data will be held for a minimum of seven years from first collection to allow for the statistical analysis of trends over a standard five year period. After this point, the data will be periodically reviewed and anonymised in line with best practices and used only for statistical and research purposes.

Regarding the retention of data, [Article 5](#) of the GDPR "Principles relating to processing of personal data" states personal data may be stored for longer periods if for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. The data will be processed in line with this legislation.

Data that are shared with third parties for research purposes will only allow the data to be shared for the duration of the project, and will require the data to be destroyed after that period.

For more information on our data retention schedule and how we keep your data safe, please visit the Welsh Government's [Information Management and Governance Policy website](#).

7. Individual Rights

Under GDPR, you have the following rights in relation to the personal information provided as part of SWAC.

Specifically, you have the right to:

³ <https://gov.wales/linking-and-matching-data-privacy-notice>

- access a copy of your own data;
- request that we rectify inaccuracies in that data;
- object to or restrict processing (in certain circumstances);
- request that your data be 'erased' (in certain circumstances); and
- lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

More guidance on these rights can be found on the [ICO's website](#).

8. Further Information

For queries in relation to the SWAC please contact the Welsh Government Education Workforce Data team:

Email address: SWAC.CBGY@gov.wales

Telephone: 0300 025 6367

For further information about the information which the Welsh Governments holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer: Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email address: Data.ProtectionOfficer@gov.wales

To contact the ICO, please see details below:

Address: Wycliffe House Water Lane
Wilmslow Cheshire SK9 5AF

Telephone - Helpline: 029 2067 8400 (Wales helpline) or
0303 123 1113 (UK helpline)

Website: www.ico.org.uk