Privacy Notice for Our Workforce

As a Trust, your personal information is something we take very seriously. We have entered the 'digital era' where we have seen the launch of Google, Facebook, Twitter and many other applications which have changed and will continue to change the world of personal data.

We want to ensure that you are familiar with the legislation, aware how we are seeking to comply with it and, most importantly that you understand how it affects you.

Data Protection and the General Data Protection Regulation (GDPR) - outlines responsibilities for Data Controllers and Data Processors.

Who are these people in our School/Trust?

The Headteacher in each school is **Data Controller** of the personal information you provide to us. This means they determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed.

For Trust employees – the **Data Controller** is Rachel Hannon, Trust HR Director.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places data protection requirements on third party processors to ensure data is processed in line with staff members' privacy rights.

As an academy within the Transform Trust (MAT), the Trust is the overall **Data Controller** of the personal data you provide to us. This means that they decide the purpose for which and the manner in which any personal data relating to pupils and their families is to be processed.

Jill Wilkinson is the Transform Trust Data Protection Officer. Her role is to oversee and monitor the school's Data Protection procedures and to ensure they are compliant with GDPR. Jill can be contacted by telephone (0115 9829050) or e-mail dataprotection@transformtrust.co.uk

Rachel Hannon is our HR Director and she can be contacted on:
Rachel.hannon@transformtrust.co.uk

Why do we need your information?

Our Trust/school has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the Trust/school, or those otherwise contracted to work at the Trust/school. We process personal data in order to meet the safeguarding

requirements set out in UK employment and childcare law, including those in relation to the following:

- Academies Funding Agreement
- Academy's legal framework
- Keeping Children Safe in Education
- Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ("the 2018 regulations") and obligations under the Childcare Act 2006 in schools.

We use workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Improve the management of workforce data across the sector
- Inform the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enable individuals to be paid
- Enable monitoring of selected protected characteristics
- Supporting the work of the school teachers' review body

Staff members' personal data is also processed to assist in the running of the Trust/school, and to enable individuals to be paid. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain Trust/school workforce information to us or if you have a choice in this.

Under GDPR the lawful bases we rely on for processing employee information is under Article 6 (a), (b), (c) and (e) and Article 9 (a), (b) and (f).

What sort of data is collected?

The categories of employee information that the school collects, holds and shares include:

- Personal information e.g. name, gender, date of birth, address, national insurance, contact details mobile phone and email details
- Characteristics e.g. ethnicity, language, nationality, country of birth
- Completed application forms
- CVs
- Copies of identification documents
- Right to work in the UK information

- information relating to social media accounts collected as part of pre-employment processes
- Qualification Certificates where appropriate
- Employment contract
- References
- Bank account details for payroll
- Remuneration details
- Medical information
- Attendance Information e.g. the number of absences and the reasons for them
- Performance Management information
- Special Educational Needs and Disability (SEND) information (where appropriate)
- Accident/Incident information e.g. where First Aid has been administered
- Photos for website, Trust/TSA promotions, school noticeboards, ID
- Equality information e.g. incidents of racism, bullying
- Grievances/complaints where relevant
- Confidential minutes of multi-agency meetings where relevant
- Confidential information where relevant regarding Allegations against staff and Low-Level Concerns (for further details please refer to the Trust Code of Conduct and the Allegations against Staff appendix to the Disciplinary Policy)
- Biometrics such as finger prints or facial recognition where schools and staff consent to use this as part of their usual practice for accessing school devices.

Will my information be shared?

Data Processors are people or organisations that process the personal data on behalf of the controller. Examples in our Trust/school include our Management Information System provider, EPM for our payroll, individual school photographers and cashless catering providers.

Within the Trust/school, there are very few occasions where we would need to approach you for your consent to process (share) your data outside recruitment and employment processes.

We use data for payroll including performance management processes, pensions, contributions to unions, contacting you in the event of an emergency and our workforce returns.

The Trust and all schools within the Trust are required to share employee details with EPM who are our payroll provider to ensure that employees are paid on time.

If an employee is a Staff Governor, information is also shared with the Department for Education to comply with the Trust Academy Handbook.

We are required to share information about our pupils with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. It is important to stress at this point that the Department for Education has robust processes in place to ensure confidentiality of any data is maintained. Similarly, we share information with the Local Authority and Teachers' Pension/Nottinghamshire and Derbyshire Pension Funds for pension details and the School Health Team (part of the National Health Service) for example, referrals to Occupational Health.

During a school inspection, Ofsted inspectors will view the single central record for safeguarding compliance, in accordance with the School Inspection Framework. The Trust also conducts safeguarding reviews and will also view the school's single central record to ensure that the school is compliant.

We will not share your personal information with any third parties without your consent, unless the law requires us to do so. The Trust/school routinely shares employees' information with:

- Transform Trust
- DfE – workforce returns
- Nottinghamshire and Derbyshire CC Pension departments
- Teachers Pensions departments
- Providers of Childcare Voucher schemes
- Dataplan
- Occupational Health/The National Health Service/GPs
- Unions – anonymised information
- Vivup and Health Assured– employee benefits scheme (personal email account only)
- The safeguarding Company (Confide) - recording allegations and low-level concerns
- Fusion Group (SAMPeople)- HR system for personnel information, absence management, payroll data, performance management, case management, single central record

The information we share with these parties includes:

- Employee pay details and bank details for salary
- Pension contributions – includes date of birth, national insurance number, address and next of kin details
- Performance management information in line with the Trust's Pay and Appraisal policies
- Attendance information

- Mobile phone numbers and e-mail addresses of employees and emergency contact details
- Membership fees

All data is transferred securely. The data held by the DfE is under a combination of software and hardware controls which meet the government security policy framework. For more information, please see *'How the Government uses your data'* at the end of this document.

Will your personal data be sought from third parties?

Your personal data is only sought from you. No third parties will be contacted to obtain your personal data without your consent. Personal data may be obtained and processed from third parties where the law requires the school to do so, e.g.

- medical records from a GP – which are only accessible through Occupational Health Services.;
- Online google/social media searches in line with Department for Education Keeping Children Safe in Education safer recruitment requirements. This will be examined by a person not involved in the recruitment process. The collection of this data relates to safeguarding purposes only and will be used to assist with the consideration of the person's suitability to work with children or consider anything they have said or done that could significantly harm the reputation of the School/Trust. It will only relate to information that is available publicly online and we will not ask to have access to your private/locked down data.

How long is your data stored for?

GDPR states that schools should not store personal data indefinitely and that unless there is a legitimate reason to keep it e.g. a legal requirement, it should only be stored for as long as it is necessary to complete the task for which it was originally intended. Once it is no longer needed it will be securely erased.

Information gathered during a social media search is not required to remain on file and will be destroyed. If there is good reason to retain the information on file this will be in agreement with the person that the data relates to and for no more than 6 months

What are your rights?

Employees have the following rights under GDPR to access their personal data:

- The right to ask us for access to information about you that we hold.
- The right to have your personal data rectified, if it is inaccurate or incomplete.
- The right to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

- The right to restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- The right to obtain to direct marketing (including profiling) and processing for the purpose of scientific/historical research and statistics.
- The right not to be subject to decisions based purely on automated processing where it produces a legal or similarly effect on you.

Withdrawal of consent and the right to lodge a complaint

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 either Rachel Hannon or Jill Wilkinson.

Are you concerned or would you like more information?

If you have a concern about the way our school and/or the Trust is collecting or using your personal data you can raise a concern with the Information Commissioner's Office (ICO). This can be done by telephone 0303 123 1113 Monday – Friday 9am – 5pm or e-mail registration@ico.org.uk

How Government uses your data

The workforce data that we lawfully share with the DfE through 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

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/education/datacollection-and-censuses-for-schools

Sharing by the Department

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

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

The Department 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 DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:
https://www.gov.uk/government/organisations/department-for-education/about/personalinformation-charter

To contact the department: https://www.gov.uk/contact-dfe