



## **Privacy Notice (How we use school workforce information)**

**The categories of school workforce information that we collect, process, hold and share include:**

- personal information (such as name, address, contact information, date of birth, employee or teacher number, national insurance number, bank account details, emergency contacts, details of training and CPD, current and previous employment history, declaration of criminal offences)
- special categories of data including characteristics information such as gender, ethnic group and disability/medical conditions
- DBS information
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons, including illness, leave of absences, maternity and paternity leave)
- qualifications (and, where relevant, subjects taught)
- Items that identify an individual and confirm the right to work in the UK (copy of passport, driving licence, utility and/or bank bills or statements)

### **Why we collect and use this information**

We use school workforce data to:

- to meet statutory requirements
- improving the management of workforce data across the sector
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- allowing better financial modelling and planning
- to issue relevant contract of employment
- to ensure staff can work with children and/or vulnerable adults
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers Review Body
- have the right to work in the UK
- enable individuals to be paid and ensure all statutory deductions of tax, NI, student loans, court or statutory attachment of earnings and pension contributions are made correctly

### **The lawful basis on which we process this information**

The Trust has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work within the Trust, or those otherwise contracted to work for us. We process personal data in order to meet the requirements set out in UK employment, academy and safeguarding law, including those in relation to the following:

- Academy Funding Agreement and Articles of Association
- Academy's legal and statutory framework
- Safeguarding Vulnerable Groups Act 2006
- The guidance "Keeping Children Safe in Education"
- The Childcare (Disqualification) Regulations 2009

We must make sure that information we collect and use about staff is in line with the GDPR and

Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collecting and processing information comes from a variety of sources, such as the Article 6 and Article 9 of the GDPR, the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

## **Collecting this information**

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 school workforce information to us or if you have a choice in this.

Staff members' personal data is only sought from the data subject. No third parties will be contacted to obtain staff members' personal data without the data subject's consent unless the law requires or allows the Trust to do so.

## **Storing, deletion and destruction of the data**

Staff members' personal data is retained in line with the Records Management Policy.

We hold school workforce data for whole time you are contracted to work for the Trust. Should you leave the Trust this data is held from the date of the termination of the contract of employment + 6 years. The paper information is removed to confidential waste and the electronic data is erased at the same time.

## **Who we share this information with**

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- our payroll provider
- our Occupational Health advisor
- Disclosure and Barring Service
- pension provider, professional bodies

If we are required to comply with other legal obligations not listed above we will share data only when it is lawful to do so.

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

## **Why we share school workforce information**

We share information to comply with statutory, regulatory and contractual obligations. These may include, but are not limited to:-

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- supporting staff through periods of ill health
- pay salaries and pension contributions
- informing the development of recruitment and retention policies

- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers' Review Body
- comply with guidance such as 'Working Together' and safeguarding obligations

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

### **Local authority**

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Department for Education (DfE)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our staff with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

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/data-collection-and-censuses-for-schools>.

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.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

## **Requesting access to your personal data**

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Chief Executive Officer.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Further information**

If you require further information about how we and/or the DfE store and use your personal data, please visit <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data> or address your query in writing to the Head of School.