

Privacy Notices - school workforce

Introduction

The General Data Protection Regulation (GDPR) 2018 and Data Protection Act (DPA) 2018 sets out the law relating to data protection. This privacy notice and the way we handle your personal data, is carried out in accordance with that law.

As an employer, the Trust collects and processes your personal data for employment and application for employment purposes. We will process your personal data in accordance with the relevant legislation, and not disclose your personal data to any other third party, unless allowed or required to do so under the relevant legislation.

This notice explains what personal data we hold about you, how we collect it and how we use and may share information about you.

Who we are

Your academy is part of an Academy Trust called Outwood Grange Academies Trust. For the purposes of Data Protection legislation, the Academy Trust is the Data Controller. This means it is in charge of personal data about you.

The postal address of the Trust is: Outwood Grange Academies Trust, Potovens Lane, Wakefield, WF1 2PF.

The Data Protection Officer for the Trust is Debbie Pettiford. She can be contacted at d.pettiford@outwood.com.

In this policy 'we' and 'us' means the Academy Trust.

The information we collect and process

In the course of employing staff we collect the following personal information when you provide it to us:

- Personal information (such as name, employee or teacher number, national insurance number)
- Personal information (such as address, contact number, data of birth and age)
- Contract information (such as start date, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Financial information (such as bank details, payroll information, pension information)
- Qualifications (including subjects taught)

This list is not exhaustive. If you would like further information about the categories of data we process, please contact our Data Protection Officer.

Special Category Data

We may also use some personal information that is classed as special category data under the DPA and GDPR. Special category data is personal data that is classed as more sensitive and therefore requires greater protection.

The special category data that we may process includes:

- Characteristics information known as special category data (such as gender, race, ethnic group, religion and trade union membership details)
- Relevant medical information

Extra care will be taken when collecting, processing or sharing special category data and, unless there is a legal reason why we can't, you will be informed before we share the data with any external organisations.

Why we collect and use workforce information

We use this information to:

- Enable individuals to be paid
- Support pension payments and calculations
- Enable sickness monitoring
- Enable leave payments (such as sick pay and maternity pay)
- Develop a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Inform financial audits of the organisation or academies
- Fulfil our duty of care towards staff
- Inform national workforce policy monitoring and developing

Reasons we can collect and process your information

We rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations, and to carry out tasks in the public interest. If we need to collect special category, or sensitive information, we rely upon reasons of substantial public interest.

Under the GDPR, the lawful bases we rely on for collecting and using your information are:

Processing basis 1: Processing is necessary in order to meet our duties as an employer (Article 6 1 c compliance with a legal obligation and Article 9 2 b carrying out obligations and exercising specific rights in relation to employment)

Processing basis 2: Processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract (Article 6 1 b contract of employment or for the provision of a service to commercial client)

Processing basis 3: the data subject has given consent to the processing of his or her data for one or more specific purposes (Article 6 1 a and 9 2 a)

Processing basis 4: The processing is necessary for the performance of our education function which is a function in the public interest.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the school / academy trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

When we collect special category data on our forms, we will make it clear that this is special category data and will provide the lawful basis and reason for processing this data.

How we share your information with third parties

We are required to share information about our workforce members under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

This data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

We will not share information about you with third parties without your consent unless the law allows us to.

Who we share your personal information with

- HM Revenue and Customs
- Pension Schemes
- Healthcare, social and welfare professionals and organisations
- The Disclosure and Barring Service
- Central Government Departments
- Educators and Examining Bodies
- Professional Bodies
- Law enforcement agencies and bodies
- Courts and tribunals
- Legal representatives
- Ombudsman and Regulatory bodies
- Service providers, including payroll and management information systems
- Salary Sacrifice Schemes you have joined
- Trade Unions

With your explicit consent we will share information with:

- Credit Reference Agencies
- Mortgage providers, Housing Associations and landlords

To support TUPE arrangements the minimum necessary personal data and special category data only will be passed to the new employer.

We will share personal information with law enforcement or other authorities if required by applicable law, for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings or to protect interests of you or another.

The Department for Education (DfE) collects and processes personal data relating to those who work in state funded schools. 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.

The DfE 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

If you require more information about how the DfE or government store and use your personal data please visit:

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

Our disclosures to third parties are lawful because one of the following reasons applies:

- The disclosure is necessary for the performance of your employment contract
- The disclosure is necessary for the performance of a legal obligation to which the Academy Trust is subject, for example our legal duty to safeguard pupils
- The disclosure is necessary to protect the vital interests of others, i.e. to protect pupils from harm
- The disclosure is necessary for the performance of our education function which is a function in the public interest.

CCTV

Our academies use Closed Circuit Television cameras for the purposes of monitoring our premises and to support any pupil behaviour policies. There are visible signs showing that CCTV is in operation and images from this system are securely stored where only a limited number of authorised persons may have access to them. We may be required to disclose CCTV images to authorised third parties such as the police to assist with crime prevention or at the behest of a court order.

Biometric data

Where cashless canteens are in place, biometric information is collected and used only with consent.

Collecting workforce information

We collect personal information via applications, new starter forms, contracts, change of personal details forms and by data collection forms as and when required which would be signed by you.

Workforce data is essential for the Trust'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 GDPR, we will inform you at the point of collection whether you are required to provide information to us if you have a choice in this. You can withdraw your

consent for the processing of your personal data at any time if that processing is on the sole basis of your consent (Processing basis 3).

How long we keep your personal information

We only keep your information for as long as we need it or for as long as we are required by law to keep it. Full details are given in our Records Retention Policy which can be found on the Trust's intranet, or can be requested from your Business Manager. When we no longer need to retain information, we will destroy it in a secure manner.

Your rights in relation to your information

You have the right to request access to personal data that we hold about you, subject to a number of exceptions; this is commonly referred to as a 'subject access request'. To make a request for your personal information, contact our Data Protection Officer.

You also have the right to:

- Ask for rectification of the information we hold about you
- Ask for the erasure of information about you in certain circumstances
- Ask for our processing of your personal information to be restricted
- Data portability
- Object to us processing your information.

If you want to exercise your rights, for example, by requesting a copy of the information which we hold about you, please contact our Data Protection Officer.

More information about your rights is available in our data protection policy www.outwood.com/policies.

If at any time you are not happy with how we are processing your personal information then you may raise the issue with the Data Protection Officer and if you are not happy with the outcome you may raise a complaint with the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.