



## **PRIVACY NOTICE FOR STAFF EMPLOYED TO WORK AT Rye College (the Academy)**

### **PART OF THE AQUINAS CHURCH OF ENGLAND EDUCATION TRUST (The Trust)**

The Academy collects a lot of data and information about staff working at the Academy so that we can run effectively as a school and so the Trust can meet its responsibilities as the employer. This privacy notice explains how and why we collect staff data, what we do with it and what rights you have in relation to the personal data and information collected.

#### **Privacy Notice (How we use your information)**

We are a Church of England [primary/ secondary] academy and part of the Trust, which is the data controller for the purposes of General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA). The Trust is a charitable company limited by guarantee under company number 07525735. The Trust's offices are at Magpie Hall Lane, Bromley BR2 8HZ. For further information of the Trust please see [www.aquinastrust.org](http://www.aquinastrust.org). Although you provide your services at the Academy, your contract of employment is with the Trust. Consequently, the Trust acknowledges its obligations to you under the data protection legislation in relation to your personal data and is committed to the principles of data protection as detailed in the Trust's Data Protection Policy.

#### **Why do we collect and use your information?**

We collect and use your information under the following lawful bases:

- a. where we have the consent of the data subject (Article 6 (a));
- b. where it is necessary for the performance of a contract with the data subject (Article 6 (b));
- c. where it is necessary for compliance with a legal obligation (Article 6 (c));
- d. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));
- e. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).

Where the personal data we collect about you is sensitive personal data, we will only process it where:

- a. we have explicit consent;
- b. processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement. In addition, the processing satisfies the requirements of Schedule 1 Part 1 of the DPA.
- c. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- d. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. In addition, the processing satisfies one of the requirements of Schedule 1 Part 2 of the Data Protection Act 2018.

Please see the Trust's Data Protection Policy for a definition of sensitive personal data. Please also see the Trust's privacy notices regarding NHS Test and Track and Testing during the COVID-19 pandemic.

We use your data to support our statutory functions of running a school and in relation to the Trust being your employer, in particular:

- a. to meet employer obligations;
- b. to ensure that you are recompensed for your services;

- c. to support your performance and continuing professional development;
- d. to provide appropriate pastoral care;
- e. to assess the quality of our services;
- f. to comply with the law regarding data sharing;
- g. for the protection and welfare of pupils and others in the Academy and the associated ancillary services such as catering;
- h. for the safe and orderly running of the Academy.
- i. for our insurance requirements.
- j. for the administration and business functions of the Academy.

**The categories of Staff information that we collect, hold and share include:**

- a. Personal information (such as name, address, date of birth);
- b. Characteristics (such as ethnicity, medical conditions affecting your employment, nationality, country of birth, gender);
- c. Contractual information (such as application form, references, professional qualifications, employment checks including disclosure and barring service check, contract, job description, salary, pay awards);
- d. Employee information (such banking information, performance management, absence, occupational health, grievances, complaints and disciplinary);
- e. Emergency contact information (such as name, address, relationship, contact details);
- f. Medical Information (such as disability/ condition, medication, healthcare adjustments, doctor's details);
- g. Health and safety information (such as accident reports);
- h. Photographs taken for employment records and security cards which are held on the personal file and on the Academy's information management system;
- i. Car details (car type, model and registration number)
- j. CCTV footage.

From time to time and in certain circumstances, we might also process personal data about staff, some of which might be sensitive personal data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about staff and is only likely to be processed by us in specific circumstances relating to particular members of staff, for example, if a child protection issue arises or if it is a criminal matter involving a member of staff. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about you when your employment commences with the Trust and it is updated during your time as an employee of the Trust as and when new information is acquired or created. We will also ask you to review some of the personal information we hold to ensure that it is accurate.

**Collecting information about staff**

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 the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this. Where appropriate, we will ask you to consent to processing personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of you to promote school activities. Where you have given consent for the processing of personal information for a specific purpose, you are entitled to withdraw consent at any time.

In addition, we also use CCTV cameras around the Academy's site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

### **Storing staff data**

We hold staff data in accordance with the Trust's Document Management and Retention Policy; at the termination of your employment with the Trust we will retain your data for a period of 6 years plus the current year in accordance with this policy. A significant amount of personal data is stored electronically, for example, on our database, information management systems, finance and payroll systems and IT systems. Some information may also be stored in hard copy format.

Data stored electronically will be saved within a hybrid solution across the Trust. On premises as part of a Local Area Network which is supported by either ATS or the Academy's IT department within the Microsoft Azure Cloud Platform. All Local Area Networks are appropriately backed up. Microsoft Azure Data Centres are located within the UK and Europe. The contracts with these providers contain the necessary provisions to ensure the security of personal data. All data is backed up and measures are in place to protect the data from cyberattacks and ransomware.

Personal data may be transferred to other countries if, for example, there is a school trip to a different country or the member of staff is relocating to a different country. Appropriate steps will be taken to keep the data secure.

### **Who do we share your information with?**

The staff information and data we are provided with is shared with senior leaders at the Academy and staff within Trust's human resources, payroll and finance departments, where necessary.

It is also routinely necessary to share staff information with:

- new employers;
- Her Majesty's Revenue and Customs (HMRC);
- our local authority, the London Borough of Bromley;
- the Department for Education (DfE);
- Aquinas Advisory Council members / trustees;
- School Payment System Providers;
- The provider systems for analysing and amalgamating data from across the Trust.

From time to time, we may also need to share your information other third parties including the following:

- the Police and law enforcement agencies;
- healthcare professionals including the NHS and Public Health England as a part of the Test and Trace requirements associated with the COVID-19 pandemic. Please also see the Trust's additional notice regarding the processing of data to support the national response to the COVID-19 Pandemic;
- Courts, if ordered to do so;
- Local Authority Designated Officer;
- Unions;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- our HR providers;

- the Risk Protection Arrangement;
- Disclosure and Barring Service.

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

In the event that we share your personal data with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

### **Why we share your information**

We do not share information about you with anyone without consent unless the law allows us to do so.

We share your data with the DfE and HMRC on a statutory basis.

To find out more about the data collection requirements placed on us by the DfE (for example; via the workforce census) go to <https://www.gov.uk/guidance/school-workforce-census> and HMRC (in term pay as you go information) go to <https://www.gov.uk/guidance/what-payroll-information-to-report-to-hmrc>.

The DfE may share information about you with named bodies and third parties to promote education in England by:

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

The DfE has robust processes in place to ensure the confidentiality of your data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 store and handle the data.

To be granted access to staff information, organisations must comply with 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 DfE's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided staff information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

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

For information about how HMRC shares data please visit: <https://www.gov.uk/government/publications/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you>

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

Under data protection legislation, you have the right to request access to information we hold about you ("Subject Access Request"). To make a request for your personal data contact one of the following; although any written request for personal data will be treated as a Subject Access Request.:

The Trust's Data Protection Officer: Mary Capon by writing to her at Aquinas Trust, Magpie Hall Lane, Bromley BR2 8HZ or emailing her at [info@aquinatrust.org](mailto:info@aquinatrust.org) and inserting 'subject access request' in the subject box.

The Academy's Data Protection Lead: *[insert contact details]*

Subject to the section below, the legal timescales for us to respond to a Subject Access Request is one calendar month. As we have limited staff resources outside of term time, we encourage you to submit Subject Access Requests during term time and to avoid sending a request during periods when the Academy is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see the Trust's Data Protection Policy.

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;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of our data protection responsibilities.

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

**Contact:**

If you have any queries regarding this notice or the use of your personal information, please contact:

- The Trust's data protection officer, Mary Capon, who can be contacted by writing to her at The Trust's offices are at Magpie Hall Lane, Bromley BR2 8HZ, by emailing [info@aquinatrust.org](mailto:info@aquinatrust.org) or calling 0203949 7000.
- Alternatively, you can contact the Head of school, Dom Downes or the Academy's data protection lead Amy Biddle [office@ryecollege.co.uk](mailto:office@ryecollege.co.uk).