

## Privacy Notice (How We Use Workforce Information)

This Privacy Notice for academy trust workforce explains how and why we store personal information about those employed by the school or otherwise engaged to work at the school. It provides a guide to our legal obligations and their own rights. Like any organisation which handles personal data, our trust is the 'Data Controller' as such, we are registered with the ICO (Information Commissioner's Office) and we comply with UK General Data Protection Regulation (UK GDPR).

### The Categories of Workforce Information That We process Include:

|   |  |
|---|--|
| Personal Information                            | Name, date of birth, gender, address, email address, telephone number<br>National Insurance number<br>Employee or teacher number<br>Medical conditions   |
| Characteristics                                 | Ethnicity, language, nationality, country of birth   |
| Attendance Information                          | Sessions attended, number of absences, reasons for absence   |
| Employment / Recruitment / Contract Information | References<br>Self-Disclosure forms<br>DBS checks<br>Verification of the right to work in the UK<br>Start dates<br>Hours worked<br>Post / roles<br>Salary information<br>P45 forms<br>Pensions information |
| Other   | Appraisal / Performance Management notes and reports<br>Qualifications<br>DBS evidence<br>Disciplinary information<br>Grievances   |

This list is not exhaustive.

### Why We Collect and Use Workforce Information

We use workforce data to:



- Enable the deployment of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid
- Provide support to staff when required (e.g. medical emergencies)
- Maintain high standards of performance from the workforce

Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

(6a) Consent: employees and others who work in the school have given clear consent for us to process their personal data for the purposes indicated above.

(6c) A Legal obligation: the processing is necessary for us to comply with the law.

(6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. we are required to have evidence that staff have DBS clearance).

(6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The lawful bases for processing personal data are set out in Article 6 of the UK General Data Protection Regulation.

Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. Sancta Familia will work within the conditions of [GDPR - Article 9](#) of the UK GDPR:

(9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include staff dietary requirements, and health information we receive from our staff who require a reasonable adjustment to access our site and services.

(9.2b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

(9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a member of staff in a medical emergency.

(9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.

(9.2g) reasons of substantial public interest. As an academy trust, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.

(9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the UK GDPR.



Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

## **Collecting Workforce Information**

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 UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

## **Storing Workforce Information**

We hold data securely for the set amount of time shown in our data retention schedule.

## **Who We Share Workforce Information With**

We routinely share aspects of workforce information with:

- The Secretary of State
- The Department for Education (DfE)
- The Academy Trust
- Suppliers and service providers with whom we have a contract.

## **Why We Share Academy Workforce Information**

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

### ***Secretary of State***

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

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

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

We are required to share information about our trust employees with the Department for Education (DfE) under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

### ***Suppliers and Service Providers***

We are required to share certain information about our trust workforce with suppliers and service providers (e.g. pensions information) to enable staff to undertake the legal responsibilities of their role.



## Requesting Access to Your Personal Data

The UK-GDPR gives you certain rights about how your information is collected and used.

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- the right to ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request, data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to complain to the Information Commissioner if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent.

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 or directly to the Information Commissioner's Office at raise a concern with ICO

Alternatively, you can contact our Data Protection Officer which is SchoolPro TLC Ltd via [DPO@schoolpro.uk](mailto:DPO@schoolpro.uk).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

## 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 the Chief Executive Officer.



## **Last Updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 16th September 2024.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact: SchoolPro



## How Government Uses Your Data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to academy 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 (DfE) including the data that we share with them, go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## Sharing by the Department for Education (DfE)

The Department for Education (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/ academy staff in England by:

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

The Department for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education's (DfE) data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department for Education (DfE) has provided information, (and for which project) please visit the following website:

<https://www.gov.uk/government/publications/dfе-external-data-shares>

## How to Find Out What Personal Information DfE Hold About You

Under the terms of UK GDPR, you're entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found



within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter> or <https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>