



FEVERSHAM
EDUCATION TRUST

Privacy Notice (Workforce)

How we use school workforce information

This Privacy Notice aims to inform you about how we collect and use personal information about you, during and after your employment with the school, in accordance the principles of the General Data Protection Regulations (GDPR). This notice applies to current and former employees, workers and contractors.

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

- personal information (such as name, address, contact number, date of birth, employee or teacher number)
- special categories of data including characteristics information (such as gender, age, ethnic group)
- payroll information (such as bank details, tax code, national insurance number, payroll number, pension information)
- contract information (such as start dates, hours worked, post, roles, salary information and training records)
- recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter as part of the application process)
- qualifications (and, where relevant, subjects taught)
- relevant medical information (such as disabilities, allergies or illnesses, emergency contact)
- safeguarding information (such as DBS and other safeguarding information in order to comply with the Single Central Record, photographs for ID badges)
- work absence information (such as number of absences and reasons)
- performance information (such as capability and disciplinary matters)
- information obtained through electronic means (such as Invenry signing in/out procedures, biometric – cashless catering)

Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- ensure individuals have right to work in the UK
- safeguard students
- enable individuals to be paid and where appropriate to deduct tax and national insurance contributions

- ensure reasonable adjustments are made in the case of disabilities
- ensure human resource processes are managed effectively (including recruitment, payment of salaries and pensions, performance management, disciplinary and grievance matters, training and development)
- manage absence and provision of well-being and support services
- monitor equal opportunities
- preventing and detecting crime (such as use of CCTV and photographs for ID badges)
- compliance with legal obligations (such as external / statutory returns)

The lawful basis on which we process this information

We collect and use workforce information to meet legal requirements and public interests as set out in the Education Act 1996, within guide documents on the following website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

To conform with GDPR, any information the school processes fulfils one of the following requirements from Article 6 of the GDPR:

- Article 6(1)(b): where processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- Article 6(1)(c): where processing is necessary for compliance with a legal obligation to which the controller is subject.
- Article 6(1)(d): where processing is necessary in order to protect the vital interests of the data subject or of another natural person.
- Article 6(1)(e): where processing 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.

Where we process special categories of personal data, we do so under obligations covered in Article 9 of the GDPR:

- Article 9(2)(b): where 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.
- Article 9(2)(e): where processing relates to personal data which are manifestly made public by the data subject.
- Article 9(2)(f): where processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- Article 9(2)(h): where processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards, referred to in paragraph 3 of Article 9.

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.

Storing this information

We hold school workforce data for the periods of time set out in our Records Management Policy which is available on request.

Who we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- the Education & Skills Funding Agency (ESFA)
- the Office for National Statistics
- current, past or prospective employers
- payroll / pensions and HR provider
- financial organisations
- security organisations
- education, training, careers and examining bodies
- family, associates and representatives of the person whose personal data we are processing
- NHS and healthcare professionals
- law enforcement organisations and courts
- business associates and other professional advisers
- suppliers and service providers
- press and the media
- school trip organisations
- Inentry sign in system
- text messaging service

Why we share school workforce information

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 pupils 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 Trust's Data Protection 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
- 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 the Data Protection Regulations

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

The Data Protection Officer
Feversham Education Trust
Deanstones Lane
Bradford
BD13 2AS
Email: dpo@fetrust.org.uk