



## Owlcotes Multi-Academy Trust

### Privacy Notice: Staff

Under data protection law, individuals have a right to be informed about how the Trust and school uses any personal data that we hold about them. Owlcotes Multi-Academy Trust complies with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school. We, Owlcotes Multi-Academy Trust and its member schools, are the 'data controller' for the purposes of data protection law.

Our named Trust contact is Mr Joe Wilson. Our Data Protection Officer is Mr Ben Cain (see 'Contact Us' below).

### The Personal Data We Hold

We process data relating to those we employ, or otherwise engage, to work at our schools. Personal data that we may collect, use, store and share (when appropriate) about staff includes, but is not restricted to:

- Contact details;
- Date of birth, marital status and gender;
- Next of kin and emergency contact numbers;
- Salary, annual leave, pension and benefits information;
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in an application or cover letter or as part of the application process;
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships;
- Performance information;
- Outcomes of any disciplinary and/or grievance procedures;
- Absence data;
- Copy of driving licence, passport or proof of identity;
- Photographs;
- CCTV footage;
- Data about your use of the school's information and communications system.

We may also collect, store and use information about staff that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records.

### **Why We Use This Data**

We collect this data in accordance to requirements set out in certain laws/regulations including, but not limited to:

- The Education Act 2005;
- Safeguarding Vulnerable Groups Act 2006;
- Keeping Children Safe in Education guidance.

The purpose of processing this data is to help us run the school, including to:

- Enable staff to be paid;
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils;
- Support effective performance management;
- Inform our recruitment and retention policies;
- Allow better financial modelling and planning;
- Enable ethnicity and disability monitoring;
- Improve the management of workforce data across the sector;
- Support the work of the School Teachers' Review Body;
- School workforce census;
- Update the school website.

### **Our Lawful Basis for Using this Data**

We only collect and use personal information about staff when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you;
- Comply with a legal obligation;
- Carry out a task in the public interest.

Less commonly, we may also use personal information about staff where:

- Staff have given us consent to use it in a certain way;
- We need to protect your vital interests (or someone else's interests);
- We have legitimate interests in processing the data.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

## **Collecting this Information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

We will not contact third parties to obtain a staff members' personal data without their consent, unless required by law.

If a member of staff fails to provide their data, there may be serious consequences including the failure to pay salaries and failure to meet legal compliance.

## **How We Store This Data**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Owlcotes Multi-Academy Trust Data Protection Policy.

## **Data Sharing**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- The Local Authority – We are required to share information about our workforce members with our local authority under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- Department for Education – We share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding/expedite and the assessment of educational attainment.
- We are required to share information about our school employees with our Local Authority and the Department for Education under Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## **Data Collection Requirements**

The Department for Education 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 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 the Department for Education 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;
- 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 for Education's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

You can contact the Department for Education here: <https://www.gov.uk/contact-dfe>

In some circumstances, the school may share staff's data with:

- Your family or representatives;
- Educators and examining bodies;
- Ofsted;
- Supplier and service providers – to enable them to provide the service that we have contracted them for, such as payroll;
- Financial organisations;
- Survey and research organisations;
- Trade unions and associations;
- Health authorities;
- Security organisations;
- Health and social welfare organisations;
- Professional advisers and consultants;
- Charities and voluntary organisations;
- Police forces, courts, tribunals;
- Professional bodies;
- Employment and recruitment agencies.

Where third parties are responsible for processing staff members' personal information the school places data protection requirements on those third party providers to ensure that data is processed in line with staff members' privacy rights.

## **Transferring Data Internationally**

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so in accordance with data protection law.

## **Your Rights**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding and processing it, and how long we will keep it for;
- Explain where we got it from, if not from you;
- Tell you who it has been, or will be, shared with;
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this;
- Give you a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

## **Your Other Rights Regarding Your Data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our Data Protection Officer.

## **Data Retention/Destruction**

The data will not be held for longer than is necessary and will be disposed of safely when it is no longer required.

## **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call: 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

### **Contact Us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

*Owlcotes Multi-Academy Trust Data Protection Officer: Mr Ben Cain*

*Email: [dpo@feps.co.uk](mailto:dpo@feps.co.uk)*

*Tel: 01924 907319*