

## **PRIVACY NOTICE FOR STAFF**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply 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, The Education Alliance, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Alex Dick (see 'Contact us' below).

### **The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you 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 a CV or cover letter or as part of the application and selection process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Procedural documentation including disciplinary and grievance
- Absence information
- Copy of driving licence
- Copy of passport
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

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

- Disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- Trade union membership
- Health, including any medical conditions, and sickness records

### **Why we use this data**

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

- Compliance with Contractual, legal and statutory obligations
- Enable you to be paid
- Compliance with safeguarding legal and statutory regulation, such as Keeping Children Safe in Education
- Support effective performance management
- Inform our recruitment and retention policies
- Allow effective financial modelling and planning
- Resolve employment issues and disputes
- Enable equal opportunities monitoring
- Comply with national data requirements
- Meet legal obligations in areas such as safeguarding, health and safety, data protection, taxation and national insurance contributions
- Manage and protect the school site(s) and assets
- Emergency response planning and responding to emergencies

### **Our lawful basis for using this data**

We process this personal information under the following GDPR Article 6(1) Conditions-

- b) 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;
- c) processing is necessary for compliance with legal obligations to which the controller is subject;
- d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- e) 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;

We process special category personal information under the following GDPR Article 9(2) Conditions –

- b) 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;
- f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
  - g) 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
  - h) 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

### **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it may be 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 and if you have a choice in this.

### **How we store this data**

We create and maintain an employment file for each staff member. The information contained in this file is retained securely and is only used for purposes directly relevant to your employment with restricted access.

Once your employment with us has ended, we will retain this file and delete the information where appropriate we will only retain information that is necessary and appropriate in line with our records management requirements.

### **Data sharing**

We do not share information about you with any third party without your consent unless the law, statutory requirements and/or 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:

- *Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns*
- *The Department for Education*
- *Educators and examining bodies*
- *Our regulator Ofsted*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for*
- *Financial organization, such as a mortgage application*
- *Central and local government*
- *Our auditors*
- *Trade unions and associations*
- *Health providers*

- *Professional advisers and consultants*
- *Police forces, courts, tribunals*
- *Professional bodies*
- *Employment and recruitment companies*

## **Department for Education**

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 children and young people with the Department for Education (DfE) for the purpose of those data collections, under:

We are required to share information about our school employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by 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.

## **Transferring data internationally**

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

## **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 Data Protection Officer or email [DPO@theeducationalliance.org.uk](mailto:DPO@theeducationalliance.org.uk).

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

## **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.

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**:

- Alex Dick, 01482 374211 or alternately email [DPO@theeducationalliance.org.uk](mailto:DPO@theeducationalliance.org.uk)

## How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school 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 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

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.

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