

Privacy Notice (How we use workforce information)

The categories of school information that we process include:

- personal information (such as name(s), address, telephone number, email address, employee or teacher number, date of birth, national insurance number, vehicle details, photograph)
- characteristics information (such as gender, age, ethnic group, disability, religion, marital status)
- next of kin (name, relationship, address and telephone number)
- contract information (such as start date, hours worked, post, roles and salary information)
- medical information (impairments, disabilities, allergies, medical conditions, occupational health referrals)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- DBS and Barred List Check (eg criminal convictions, reprimands & warnings) including overseas where applicable
- Section 128 and Prohibition Checks for management and teaching staff
- payroll information (eg bank account details, tax code, pension reference, attachment of earnings, child care vouchers)
- performance appraisal data

This list is not exhaustive. To access the current list of categories of information we process please email the Data Protection Officer, Colin Hinds, at dataprotectionofficer@hattonacademiestrust.org.uk

Why we collect and use workforce information

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) identify employees to the appropriate statutory agencies (ie HMRC, DfE, Teachers Pensions, Local Government Pension Scheme, Teaching Regulations Agency, Disclosure & Barring Service)
- e) support the health, safety and welfare of staff in the workplace
- f) meet statutory requirements for recruitment and vetting of Staff and Volunteers
- g) manage, organise and deliver the curriculum in each Academy
- h) manage the performance of staff

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

- General Data Protection Article 6 (1) (a): the data subject has given consent for the processing of his/her personal data for one of more specific purposes
- General Data Protection Article 6 (1) (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
- General Data Protection Article 6 (1) (c): processing is necessary to comply with a legal obligation to which the controller is subject
- General Data Protection Article 6 (1) (d): processing is necessary in order to protect the vital interests of the data subject or of another natural person
- General Data Protection Article 6 (1) (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

In addition, concerning any special category data we will ensure that we comply with the following conditions:

- General Data Protection Regulation Article 9 (2) (a): the data subject has given explicit consent to the processing of those personal data for one or more specified purposes
- General Data Protection Regulation Article 9 (2) (b): processing is necessary for the purpose 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
- General Data Protection Regulation Article 9 (2) (c): processing is necessary for the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent
- General Data Protection Regulation Article 9 (2) (e): processing relates to personal data which are manifestly made public by the data subject
- General Data Protection Regulation Article 9 (2) (f): processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- General Data Protection Regulation Article 9 (2) (g): processing is necessary for reasons of substantial public interest
- General Data Protection Regulation Article 9 (2) (h): processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis
- General Data Protection Regulation Article 9 (2) (i): processing is necessary for reasons of public interest in the area of public health
- General Data Protection Regulation Article 9 (2) (j): processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1)

Collecting workforce information

We collect personal information via:

- application forms
- appointment forms
- pension forms
- occupational health questionnaire
- DBS applications
- annual data checking forms

Workforce data is essential for the school's / local authority'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.

Where consent is required, you may withdraw your consent at any time.

Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please read the Trust's Data Protection Policy.

Who we share workforce information with

We routinely share this information with:

- the Department for Education (DfE)
- HM Revenue & Customs
- Teachers Pensions
- Local Government Pension Service (Northamptonshire)
- Prudential (for Pension AVCs)
- Department of Work and Pensions
- Childcare Vouchers Scheme Providers
- Recognised Trade unions
- UKCRBs (for DBS applications)
- The Trust's external and internal auditors
- Essential Safety Limited (external health & safety consultants)
- Medigold (occupational health provider)
- Teacher training providers
- UK Visas and Immigration

Why we share school 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.

Where information is shared, the Trust will have full regard to data protection regulations and trust policies and procedures to ensure that personal data is processed in a secure manner, retained only for the purposes intended and for the required period of time.

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.

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.

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 subject access request for your personal information, contact the Trust Data Protection Officer, Colin Hinds at dataprotectionofficer@hattonacademiestrust.org.uk

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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 Trust Data Protection Officer, details as below.

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

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

Colin Hinds - Data Protection Officer

By e-mail: dataprotectionofficer@hattonacademiestrust.org.uk

By telephone: 01933 231271

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 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 (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 staff in England by:

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

The Department for Education (DfE) 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:

- 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.

How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, 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>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>