

Privacy Notice for Staff - How we use your information

2018/19

Who are we?

Community Academies Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Community Academies Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: **ZA073240**

You can contact the Academy Trust as the Data Controller in writing at:

Community Academies Trust, The Polesworth School, Dordon Road, Tamworth, B78 1QT or datacontroller@communityacademiestrust.org.

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them to manage the employment relationship. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our staff.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about staff?

The categories of staff information that we collect, hold and share include:

- personal information such as name, employee or teacher number and national insurance number
- special categories of data including characteristics information such as gender, age, ethnic group and trade union membership
- contract information such as start dates, hours worked, post, roles and salary information
- work absence information such as number of absences and reasons
- qualifications and, where relevant, subjects taught
- emergency contact information and next of kin information
- Bank details
- Information about your criminal record
- Assessment of your performance
- Information about medical or health conditions or if you have a disability

For what purposes do we use personal information?

We use staff data to:

- enter into an employment contract with you and to meet the obligations under the employment contract
- ensure we comply with our legal obligations, for example we need to check your entitlement to work in the UK
- develop a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid and receive other staff benefits
- provide absence, performance management, discipline and grievance and other statistics to effectively manage the trust
- ensure effective general HT and business administration
- provide references on request for current or former employees
- ensure that we can act in an emergency
- to enable staff to access training, pay for staff meals, access educational software etc.
- to provide the Department for Education with statutory information

Collecting staff information

Whilst the majority of staff information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain staff information to us or if you have a choice in this.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

1) To comply with the law

We collect and use general purpose staff information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information ‘belongs’

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

It is a day-to-day function of the Academy Trust to ensure that staff members receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract

We are able to process personal information in order to comply with the contract that we have with you.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 5.

6) For legitimate interests

We are able to process your information as it is necessary for your legitimate interests.

Special category personal information

In order to process ‘special category’ data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

Who might we share your information with?

We routinely share staff information with:

- A relevant local authority
- Staff benefit schemes such as bike to work etc.
- HMRC
- Teachers' Pension Scheme/LGPS
- The Department for Education (DfE)

We do not share information about our staff unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

What do we do with your information?

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

How long do we keep your information for?

In retaining personal information, the Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

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.

What are your rights with respect of your personal information?

Under data protection law, staff members have the right to request access to information about them that we hold. To make a request for your personal information contact the School Data Protection Officer at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure that you specify you are requesting personal information that Community Academies Trust holds and which school or schools within the trust you have worked at.**

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, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Review

The content of this Privacy Notice will be reviewed in July 2019

Table 1 - Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category- additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
<ul style="list-style-type: none"> Name Date of birth Address National Insurance number Start date Salary information Student loan information Contracted hours 	Tax law		HMRC	Legal obligation
<ul style="list-style-type: none"> ID verification for DBS 	KCSIE		DBS Checking Service	Legal obligation
<ul style="list-style-type: none"> ID verification for UKVI Borders Agency Checks 	Immigration, Asylum and Nationality Act 2006			
<ul style="list-style-type: none"> Section 128 check Disqualification by association Prohibition checks DBS number 	KCSIE		Ofsted	Legal obligation
<ul style="list-style-type: none"> Name Address Pay information Pension information Nationality Gender Ethnicity Age Job role 			Office of National Statistics	Legal obligation
<ul style="list-style-type: none"> Investigations into misconduct 	KCSIE		DBS NCTL (teachers only)	Legal obligation
<ul style="list-style-type: none"> Breach of teacher standards 	KCSIE		NCTL (teachers only)	Legal obligation

Table 2 - Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Emergency contact		Emergency services	Vital Interests
Health Information	Protect vital interests of the data subject	Emergency services	Vital Interests
Name		Emergency services	Vital Interests

Table 3 - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
<ul style="list-style-type: none"> • Ethnicity • Disability Information 		DfE (anonymised)	Consent
<ul style="list-style-type: none"> • Name • Email address 		ParentPay	Consent
<ul style="list-style-type: none"> • Health information 	Consent	Occupational Health provider	Consent
<ul style="list-style-type: none"> • Staff photograph 			
<ul style="list-style-type: none"> • Name • Photograph 		Signing in system	Consent
<ul style="list-style-type: none"> • Trade Union membership (if paid through payroll) 	Consent	WES or Telford & Wrekin payroll services	Consent
<ul style="list-style-type: none"> • Sexual orientation 	Consent		

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
<ul style="list-style-type: none"> • Name (including any former surnames) • Date of birth • Gender • Address • National Insurance number • School Workforce Census post • Teacher Qualifications • Teacher absence information • Contract type • Contract start and end date • Employment origin and destination • Contracted hours • Subject and year group taught and hours • Base pay • Pay range • Safeguarded sums • Additional payment • Allowance type and amount • Teacher number • QT status • HLTA status • QTS route <p>Degree qualification, class and subject</p>		<p>DfE MIS system: BromCom CMIS SIMS Scholarpack</p>	<p>Public task (school workforce census)</p>

Table 5 - Personal information we are required to process because of a contract we have with you or because you have asked us to take specific steps before entering into a contract

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
<ul style="list-style-type: none"> • Name • Date of birth • Address • National Insurance number • Continuous service date • Absence information • Gender • Bank details • Student loan information • Contracted hours • Salary • Salary range • Health information 	<p>Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law.</p>	<p>WES or Telford & Wrekin payroll services</p>	<p>Contract</p> <p>Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law.</p>
<ul style="list-style-type: none"> • Name • Date of birth • Address • Continuous service date • Salary • Payroll number • National Insurance Number • Additional pension contributions • Reference information • Qualifications • Details of previous employment • Teacher number (if applicable) 		<ul style="list-style-type: none"> • Teachers’ Pensions • Local Government Pension Scheme - Staffordshire, Warwickshire or Shropshire 	<p>Contract</p>

Table 6 - Personal information we are required to process as it is necessary for your legitimate interests

Information Type	Special Category - additional lawful reason	Third parties with whom we share the information	Lawful reason for sharing
<ul style="list-style-type: none"> • Name • Job title/role • Salary information • Salary allowances • Start date • End date • Scale point • Payroll number • Pension scheme membership • Hours 		Orovia Budget Planning Software	Consent??