



Privacy Notice - Employees

The Academies within Uffculme Academy Trust need to collect, store and process data on employees of the Trust in order to be able to manage the workforce, ensure that employment legislation is adhered to and to meet its obligations under the terms of the contracts of employment. Only essential data is held and there are clear processes in place that govern how we collect use, store and share the data. Information is shared with the Trust's payroll providers, the administrators of the Teacher and Support Staff pension schemes and HMRC.

Under data protection law, individuals have a right to be informed about how the Trust 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 within the Trust.

We, Uffculme Academy Trust, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mrs Amy Brittan (see 'Contact us' below).

The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our Academies. 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 process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information such as Appraisal information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the Trust information and communications system
- Biometric Data (from your thumbprint) where consent has been given

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):

- Race, ethnicity and religious beliefs
- Trade union membership
- Health, including any dietary needs, 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:

- maintain accurate and up-to-date employment records and contact details (including details of emergency contacts);
- enable individuals to be paid;
- support pension payments and calculations;
- run recruitment processes;
- operate and keep a record of disciplinary and grievance processes to ensure acceptable conduct in the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;

- obtain occupational health advice, to ensure that we meet obligations under health and safety law, and ensure that employees are fit to work;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims;
- inform financial audits of the school;
- inform national workforce policy monitoring and development;
- complete statutory workforce census for the DfE.

Our lawful basis for using this data

We process this information under several different bases of Section 1, of Article 6 of the UK General Data Protection Regulation:

- Article 6 (1) (b) Contract: the processing is necessary because we have a contract with you, and we need to process your personal information to comply with your contract
- Article 6 (1) (c) Legal obligation: the processing is necessary for us to comply with the law; we are required to share information about our workforce members under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Article 6 (1) (e) Public Task: we may collect information from you where it is necessary to perform a task in the public interest e.g. taking temperature data on site and / or sharing staff data with the local authority in the event of a public health emergency
- Article 6 (1) (f) Legitimate interests: we rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations

For some data processing where there is no legal obligation, contract or legitimate interest for the school to collect and use the data, we will ask for your consent under Article 6 (1) (a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose

We may also share your information if we need to protect your vital interests (or someone else's interest) e.g. in a life or death situation we may share contact information with healthcare professionals.

We will process special categories of personal data for lawful reasons only, including because:

- you have given us your explicit consent to do so, in circumstances where consent is appropriate;
- it is necessary to protect your or another person's vital interests, for example, where you have a life-threatening accident or illness in the work-place and we have to share your medical data in order to ensure you receive appropriate medical attention;
- it is necessary for some function in the substantial public interest, including the safeguarding of children or vulnerable people, or as part of a process designed to protect

- others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations);
- it is necessary for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without your permission where this is in the public interest. This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Where we have got your consent to use your data, you may withdraw this at any time. We will make this clear when we ask for your consent and explain how to go about withdrawing consent.

Collecting this information

We may collect information about you in a number of ways:

- from the information you provide to us in connection with a job application, for example when you come for an interview
- when you submit a formal application to work for us, and provide your personal data in application forms and covering letters etc
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), or (if you are a contractor or a substitute) your own employer or agent, in order to verify details about you and/or your application to work for us
- as a result of your employment, we may generate data in relation to appraisals, grievances and disciplinary and safeguarding incident investigations
- we may also ask you to update your contact details at regular intervals

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.

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 our record retention schedule/records management policy within the Data Protection Policy, which is based on the [Information and Records Management Society's toolkit for schools](#).

The School is aware of the legal hold placed on the destruction of staff personnel files by the Independent Inquiry Into Child Sexual Abuse (IICSA) and we are retaining staff personnel files until the publication of their final report and recommendations about file retention.

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal

information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and the Information Commissioner's Office of a suspected data security breach where we are legally required to do so.

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:

Who we share with	Why we share
Local Authority within which staff are employed	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.
The Department for Education (for more information see page 7: <i>How Government uses your data</i>)	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 employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
HMRC & Pensions Scheme Providers	Information is shared with our HMRC and our two pension providers to ensure the correct deductions and accumulation of benefits for the data subjects under Section 6.1.e of the General Data Protection Regulation
Payment System Providers	Through employee consent, we share names only with our payment service providers to allow payment for meals and events.
Our Regulator - Ofsted	To allow them to carry out their statutory function of inspecting and reporting on schools within the Trust
Our Auditors	To enable them to audit the payroll costs to the Trust
Police forces, courts, tribunals and Security Organisations	As we are legally required to do
Health and social welfare organisations	Through employee consent, we share data with organisations such as our Occupational Health service to support employee welfare.
Providers of electronic learning resources	To allow you to use their resources in class

For the most part, Personal Data collected by the School will remain within the School and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis).

All employees are reminded that the school is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns related to child safeguarding that arise or are reported to it, in some cases regardless of whether they are

proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes within the employee and safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the School's Safeguarding Policy.

Transferring data internationally

We have audited where we store all the personal data processed in the school/Trust and by third party services. If a third-party service stores data in the EU or US, we have ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the school.

Your rights

How to access personal information we hold about you

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 (see below).

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, under certain circumstances

To exercise any of these rights, please contact our Data Protection Officer (see below).

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**: dposchools@somerset.gov.uk

This notice is based on the [Department for Education's model privacy notice for the school workforce](#), amended to reflect the way we use data in this school.

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.

How to find out what personal information the DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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: <https://www.gov.uk/contact-dfe>

