



## GDPR Privacy Notice (Workforce)

Under data protection law, individuals have a right to be informed about how the Wise Owl Trust or the academy uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data. This document can also be found in the staff section of the Wise Owl Trust website.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our academies.

We, the Wise Owl Trust, are the 'data controller' for the purposes of data protection law. Our Trust data protection officer is Emma Maddocks.

### **The categories of school workforce information that we collect, process, hold and share**

We process data relating to those we employ, or otherwise engage, to work at our Trust. Personal data that we may collect, use, store and share (when appropriate – including sharing between academies) about you includes, but is not restricted to:

- contact details (name; address; phone numbers)
- personal information (date of birth; employee or teacher number; national insurance number; next of kin; emergency contact numbers; medical information)
- special categories of data including characteristics information (gender, age)
- ID information (such as driving licence; passport; home office documents etc)
- contract information (start dates; hours worked; post; roles; pension and salary information)
- other information to enable recruitment (bank account details; tax status information; right to work documentation; references; application form; qualifications)
- attendance, punctuality and absence information/data (sickness records)
- qualifications & training
- outcomes of disciplinary and/or grievance procedures
- performance management documentation
- CCTV footage
- video footage (such as use of IRIS)
- data about your use of the WOT/academy's ICT system (such as email)
- Photographs (such as staff ID badges and staff photos in reception areas)

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; religious beliefs; sexual orientation
- health, including any medical conditions and sickness records

### **Why we collect and use this information**

The purpose of processing this data is to help us run the Trust and your academy, including to:

- enable you to be paid
- facilitate safer recruitment, as part of our safeguarding obligations towards pupils
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enables appropriate action to be taken in the case of medical emergencies
- allow better financial modelling and planning
- enable ethnicity and disability monitoring
- to facilitate fairness and equality with regards to recruitment procedures
- to inform the school workforce data census
- to enable absence monitoring (Return to Work documentation)



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## Our lawful basis on which we process this information

We only collect and use personal information about you 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 you where:

- you have given us consent to use it in a certain way
- we need to protect your vital interests (or someone else's interests)

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. However, you must be aware that if staff members fail to provide their personal data, there may be significant consequences, including the failure to pay salaries and failure to meet legal compliance.

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

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

## Storing this information

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 and only accessed by relevant personnel.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Retaining Records Schedule, which is available on the school website. The Retaining Records Schedule also sets out what other data we hold and for how long we hold it.

## Who we share this information with

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:

- our local authority to meet our legal obligations to share certain information with, such as safeguarding concerns
- other WOT departments (to facilitate Return to Work interviews; to inform auditor requirements)
- the Department for Education (DfE) (such as workforce census information requested)
- governors (such as references)
- your family or representatives
- educators and examining bodies
- our regulator, Ofsted
- finance and other suppliers and service providers – to enable them to provide the service we have contracted them for (such as payroll)
- external and/or internal auditors
- central and local government
- trade unions and associations (such as HR support)
- security organisations (such as academy key holding)
- health and social welfare organisations (ie Healthwork)
- professional advisers and consultants (such as counsellors)
- police forces, courts, tribunals



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- professional bodies
- Teacher Regulation Authority

## Why we share school workforce information

### Local authority

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.

### Department for Education (DfE)

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.

### Data collection requirements

The DfE 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 a 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 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.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>. To contact the department: <https://www.gov.uk/contact-dfe>

## 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.

## Your rights



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## Requesting access to your personal data

Under data protection legislation, you have the right to make a 'subject access request' to gain access to personal information about you that we hold. 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 for your personal information, contact:

- Mrs Claire Hall – Briscoe Lane Academy
- Miss Hayley Brooker – Old Hall Drive Academy
- Miss Jane Dennis – Seymour Road Academy

## Your other rights regarding your data

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

To exercise any of these rights, in the first instance please contact your principal.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Further information

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

- Mrs Claire Hall – Briscoe Lane Academy
- Miss Hayley Brooker – Old Hall Drive Academy
- Miss Jane Dennis – Seymour Road Academy

*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 the Wise Owl Trust*