



## **DUDLEY ACADEMIES TRUST**

### Privacy Notice - Workforce

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*Our mission: Working together we will develop inspirational schools which instil ambition and desire in young learners, open their minds, widen their horizons and equip them to succeed in a challenging world.*

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## Introduction

**[Insert name of Academy]** collects and processes personal data relating to its employees to manage the employment relationship. **[Insert name of Academy]** is committed to being transparent about how it collects and uses the data and to meeting its data protection obligations. This privacy notice will inform you about why **[Insert name of Academy]** collects and processes a range of information about you.

## The Categories of School Workforce Information That We Collect, Process, Hold and Share Include:

- personal information (such as name, address and contact details, employee or teacher number, details of your bank, national insurance number, information about your marital status, next of kin, dependants and emergency contacts)
- special categories of data including characteristics information (such as gender, age, ethnic group)
- contract information (such as start dates, terms and conditions of your employment, hours worked, post, roles and salary information, information about entitlement to benefits such as pensions, information about your nationality and the entitlement to work in the UK)
- payroll information
- work absence information (such as number of absences and reasons)
- qualifications (such as skills, experience and employment history, where relevant, subjects taught)
- information about your criminal record.
- Information relating to safeguarding (such as DBS).
- details of any disciplinary or grievance procedures in which you have been involved (such as any warnings issued to you and related correspondence)
- assessments of your performance (such as appraisals, performance reviews and ratings, performance improvement plans and related correspondence)
- information about medical or health conditions (such as whether or not you have a disability for which the organisation needs to make reasonable adjustments)

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 and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

## Why We Collect and Use This Information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee

- contractual and statutory rights.
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within 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.
  - operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled
  - obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.
  - 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 **[Insert name of Academy]** 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
  - maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

## **The Lawful Basis On Which We Process This Information**

We process this information under the following General Data Protection Articles:

6.1(b) Processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

6.1(c) Processing is necessary for compliance with a legal obligation to which the controller is subject. For example: [The Health and Safety at Work Act](#), [Equality Act 2010](#), [The Disability Discrimination Act](#).

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. For example: [The Education Act](#) requires the collection of workforce data for the purpose of Departmental Census. [Working together to Safeguard Children Guidelines \(DfE\)](#).

9.1(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.

## Collecting Workforce Information

**[Insert name of Academy]** collects personal information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessment.

In some cases, **[Insert name of Academy]** may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

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 data protection legislation, 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 and we will tell you what you need to do if you do not want to share this information with us.

## Storing this Information

Personal data is stored in accordance with our data retention schedule. We hold school workforce data throughout your period of employment and, in the case of key employment data for 6 years after the cessation of your employment.

We maintain a file to store personal information about all employees. The information contained in this file is kept secure and is only used for purposes directly relevant to your work with the Trust.

When your relationship with the Trust has ended, we will retain and dispose of your personal information in accordance with our data retention schedule. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, we will shred or incinerate paper-based records, and override electronic files. We may also use an outside company to safely dispose of electronic records.

## Who We Share Information With

Your information may be shared internally, including with those people responsible for HR and recruitment (including payroll), senior staff who you report to or who have supervisory/management responsibilities for you and business support and IT staff if access to the data is necessary for performance of their roles.

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:

- Government departments or agencies – to meet our legal obligations to share information about governors/trustees
- Our local authority – to meet our legal obligations to share certain information with it, such as details of governors
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as governor/trustee support
- Professional advisers and consultants
- Employment and recruitment agencies
- Police forces, courts

## **Why We Share School Workforce Information**

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

We share information with the local authority to meet our legal obligations to share safeguarding concerns.

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.

We share information with awarding and examining bodies to carry out a task in the public interest. We share information with our regulator, Ofsted, when our academies are inspected so that they can evaluate our performance in delivering our service as we have a legal obligation to do so.

We share workforce information with our service providers who we have engaged in a contract to assist us in carrying out a task in the public interest. We may also share information with service providers to assist us in meeting our contractual obligations to you such as payroll services.

We share workforce information with financial institutions to allow us to complete our contractual obligations to you. We share workforce information with HMRC and pension providers to ensure you meet your legal obligation to pay tax, national insurance contributions and pension contributions.

We share personal data of office holders with Companies House to comply with the [Companies Act 2006](#).

We share workforce information with the police and security services to meet our legal obligation to protect the welfare of our learners.

## 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:

Compliance & Safeguarding Officer  
Dudley Academies Trust  
Priory Villa  
3a Ednam Road  
Dudley  
West Midlands  
DY1 1HL

**Email:** [Rebecca.meacham@dudleycol.ac.uk](mailto:Rebecca.meacham@dudleycol.ac.uk)

**Tel:** 01384 363158

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, 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/make-a-complaint/>

## Contact

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

Compliance & Safeguarding Officer  
Dudley Academies Trust  
Priory Villa  
3a Ednam Road  
Dudley  
West Midlands  
DY1 1HL

**Email:** [Rebecca.meacham@dudleycol.ac.uk](mailto:Rebecca.meacham@dudleycol.ac.uk)

**Tel:** 01384 363158

## 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 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>.

## **This Notice**

The Trust will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.