

## **Privacy Notice (School Workforce Information)**

Under data protection law, individuals have a right to be informed about how the Trust and its schools use 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 the Trust's and the schools within the Trust workforce.

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

- personal information (such as name, address, date of birth, phone number of employee or teacher number, emergency contacts and proof of identification)
- special categories of data including characteristics information such as gender, age, ethnic group and Trade Union membership.
- pre-employment checks (such as DBS checks, barred list checks (where appropriate) references, health checks and prohibition from teaching checks )
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons) and health reports
- Payroll and pension information (such as bank details and National Insurance numbers)
- qualifications (and, where relevant, subjects taught)

### **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
- provide statutory school workforce census returns to the Department for Education (DfE)
- to ensure all employees have the right to work in the UK
- ensure that we meet the statutory requirements of safer recruitment practices in line with the Keeping Children Safe in Education statutory Guidance
- inform the development of recruitment and retention policies
- enable individuals to be paid and to pay Trade Union subscriptions on behalf of employees

### **The lawful basis on which we process this information**

We process this information under the following:

#### **GDPR Article 6**

- 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.
- Processing is necessary for compliance with a legal obligation to which the controller is subject.

### **GDPR Article 9**

- 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.
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

### **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 hold school workforce data for a period of 6 years following the end of employment.

### **Who we share this information with**

We routinely share this information with:

- The Department for Education (DfE)
- The Trust Payroll Providers
- The Local Government Pension Scheme (LGPS)
- The Teachers' Pension Scheme (TPS)
- Provider of the Trust Management Information System
- The Trust Occupational Health Provider
- The Office for National Statistics

### **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.

### **Department for Education (DfE)**

We share workforce 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 of 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>

## **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, please contact the School Business Manager.

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/concerns/>

### **Further information**

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

**The Trust Data Protection Officer at [dataprotection@maritimeacademytrust.org](mailto:dataprotection@maritimeacademytrust.org)**