

## Privacy Notice (How we use workforce information)

Under Data Protection law, individuals have a right to be informed about how the St Thomas Aquinas Multi Academy Trust (or, 'the Trust') or its academies use any personal data that we hold about them.

This privacy notice explains how we collect, process, and manage information for the school workforce. This includes employed members of staff, volunteers, trainee teachers, apprentices and work experience/workplace placements.

### The categories of information that we process include:

These include:

- Personal information (such as name, employee number or National Insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, FTE, role)
- Work absence information (such as number of days missed due to sickness absence)
- Data related to disciplinary actions
- Qualifications (and, where relevant, subjects taught)
- Medical information
- References

This list is not exhaustive, to access the current list of categories of information we process please see the CMAT SharePoint Site.

### Why we collect and use workforce information

We use and share information to comply with statutory, regulatory, practice and contractual obligations. These may include, but are not limited to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Improve the management of workforce data across the sector
- Inform the development of recruitment and retention policies
- Enable individuals to be paid
- Allowing better financial modelling and planning
- Enable monitoring of selected protected characteristics
- Comply with safeguarding obligations
- Internal reviews and quality monitoring

- CPD and staffing issues

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

## **Our lawful basis for using this data**

We must make sure that information we collect and use about the school workforce is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual, we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the GDPR. In addition, we have statutory obligations that are set out in 'Keeping Children Safe in Education' and other guidance and regulations. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

We also process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's legal framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009

The submission of the School Workforce Census return, including a set of individual staff records, is a statutory requirement on schools and Local Authorities by virtue of regulations SI2007/1264 made under Sections 113 and 114 of the Education Act 2005. This statutory requirement:

- means that schools may not need to obtain employees' consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils
- helps to ensure that returns are completed by schools

## **Collecting workforce information**

Workforce data is essential for the 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 UK-GDPR, 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.

We collect personal information via application forms, staff data collection forms and other ways as seen appropriate.

No third parties will be contacted to obtain staff members' personal data without the data subject's consent.

## Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit the Trust SharePoint site or Extranet.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected. A full list of data retention periods is available in the Trust's Records Retention Schedule.

## Who we share workforce information with

Access to personnel files is carefully controlled, and they may only be seen by the Trust's Executive Leadership Team, Headteacher, School Business Manager or other persons, if authorised by the Trust's Data Protection Officer. All staff accessing data are bound by obligations of confidentiality.

Access to personal data held by individual departments will be limited in accordance with that department's operational needs. Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places Data Protection requirements on third party processors to ensure data is processed in line with staff members' privacy rights.

We routinely share this information with:

- Local Authorities (where applicable)
- the Department for Education (DfE)
- Those responsible for safeguarding and protection of children and vulnerable adults
- Payroll services
- Legal advisers
- Insurance providers
- HMRC
- Teacher Pension Scheme and the Local Government Pension Scheme
- Health professionals

## Why we share workforce information

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

### 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 academies). 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 DfE, including the data that we share with them, please see [Data Collection and Censuses for Schools](#).

The DfE 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 DfE has in place robust processes to ensure that the confidentiality of personal data is maintained and that there are stringent controls in place regarding access to it and its use. Decisions on whether the 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
- 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 DfE's data sharing process, please see Data Protection: How We Share Pupil and Workforce Data. For information about contacting the DfE, visit: <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, contact Antoinette Bouwens (abouwens@aquinas-cmat.org).

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete

- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

## **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting HR.

## **Last updated**

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 30/11/2021.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact: Antoinette Bouwens ([abouwens@aquinas-cmat.org](mailto:abouwens@aquinas-cmat.org))

## How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs government policy on matters related to child and family social workers
- may be used to inform the distribution of funding to local authorities
- supports 'longer term' research and monitoring of children's social care 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/guidance/childrens-social-work-workforce-census-guide-to-submitting-data>

## Sharing by the Department

The Department may share information about 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 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.

To contact the department: <https://www.gov.uk/contact-dfe>