



# Privacy Notice for Staff – How we use your information

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## Who are we?

Central England Academy Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Central England Academy Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZA540893

The data controller can be contacted by emailing

[datacontroller@centralengland.co.uk](mailto:datacontroller@centralengland.co.uk)

## What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our staff.

## What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

## What personal information do we process about staff?

The categories of staff information that we collect, hold and share include:

- personal information such as name, gender, age, employee or teacher number and national insurance number
- special categories of data including characteristics information such as ethnic group, trade union membership details, health information
- contract information such as start dates, hours worked, post, roles, bank details, and salary information
- work absence information such as number of absences and reasons
- qualifications and, where relevant, subjects taught
- Performance information, outcomes of any capability, disciplinary or grievance procedures.
- Copies of your right to work documents, including documents used to verify your identity.
- We may also collect, use, store, and share (when appropriate) information about criminal convictions and offences

## **For what purposes do we use personal information?**

We use staff data to:

- Facilitate safer recruitment, as part of our safeguarding obligations towards pupils
- Develop a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Enable individuals to be paid and receive other staff benefits
- Ensure that we can act in an emergency
- Support effective performance management
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Enable staff to drive school mini bus for insurance procedures
- Inform residential trips i.e. emergency contacts, medical needs
- To fulfil our statutory obligations

### **Collecting staff information**

Whilst the majority of staff information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulations, we will inform you whether you are required to provide certain staff information to us or if you have a choice in this.

## **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

### **1) To comply with the law**

We collect and use general purpose staff information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

#### **4) To perform a public task**

It is a day-to-day function of the schools and Academy Trust to ensure that staff members receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

#### **5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract**

We are able to process personal information in order to comply with the contract that we have with you.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 5.

#### **6) We have a legitimate interest**

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 6.

#### Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

#### **Who might we share your information with?**

We routinely share staff information with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about headteacher performance and staff dismissals
- The Department for Education- to meet our legal obligations to share information linked to performance data.
- Your family or representatives- to carry out our public task in the event of an emergency
- Other staff members- to carry out our public tasks, for example having access to your school email address so that information can be shared effectively
- Our regulator Ofsted, in order to comply with our public task

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Central and local government to complete the legal obligation for things such as the workforce census
- Trade unions and associations- to carry out our public task in light of any key discussions within school linked to disciplinary/capability procedures or for events such as redundancy.
- Security organisations- in order to keep our school secure and under the lawful basis of public task, we pass on certain staffs details so that they can be contacted in an emergency i.e. site manager
- Health and social welfare organisations to carry out our public task in line with our attendance management policy with organisations such as occupational health
- Police forces, courts, tribunals- to meet our legal obligations to share certain information with it, such as safeguarding concerns or to carry out our public task in relation to a tribunal.
- Employment and recruitment agencies- to meet the public task of supplying requested references.
- The governors- to carry out our public task within the school and remain accountable to them for finance and personnel issue
- Where appropriate, parents, carers and pupils.

We do not share information about our staff unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

### **Data Collection Requirements:**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections

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.

To find out about the data collection requirements placed on us by the Department for Education including the data that we share with them, please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school and Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

### **How long do we keep your information for?**

In retaining personal information, the school and Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside of the UK, we will do so in accordance with data protection legislation.

### **What are your rights with respect of your personal information?**

Under data protection law, staff members have the right to request access to information about them that we hold. To make a request for your personal information contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**\*\*Please ensure you specify which school your request relates to.**

You also have the right to:

- In certain circumstances, 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
- 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)
- 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; and
- Subject to the complaints procedure below, you have the right to complain to the ICO

### **Data Protection Complaints**

We are committed to handling your personal data in a way that is fair, transparent, and in accordance with the law. If you are unhappy with how we have handled your data, this process outlines how you can make a complaint.

#### **How to Make a Complaint**

If you have a concern about how your personal data has been handled, please contact our Trust Data Protection Lead (DPL) or our Data Protection Officer (DPO). This gives us the opportunity to investigate and resolve the matter as quickly as possible.

There is no set format for making a data protection complaint. However, submitting your complaint in writing using our data protection complaints form may help us to respond more promptly. Please direct your complaint to:

- Trust Data Protection Lead (DPL) email: [datacontroller@centralengland.co.uk](mailto:datacontroller@centralengland.co.uk)
- School/Trust Data Protection Officer (DPO): [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk)

## What to Expect from Us

We will acknowledge receipt of your complaint within 30 days. We will, without undue delay, take appropriate steps to respond to your complaint, including making appropriate enquires.

Throughout the process, we will:

- Keep you informed of our progress.
- Request any additional information we may need from you in a timely and proportionate manner.
- Provide you with a clear and comprehensive outcome of our investigation.

## If You Remain Unhappy

If you are not satisfied with the outcome of your complaint, or if you feel we have not handled it appropriately, you have the right to complain to the Information Commissioner's Office (ICO). The ICO is the UK's independent regulator for data protection and information rights. For more information about the ICO and their complaints process, you can visit their website at [ico.org.uk](http://ico.org.uk).

## Review

The content of this Privacy Notice will be reviewed annually.

## Data Tables:

The tables below set out the types of processing carried out by the school/Academy Trust and lawful reasons for doing so.

**Table 1** – Personal information we are required to process to comply with the law:

| Information Type                                                                                                                | Relevant legislation                                         | Special additional reason                             | Category– lawful | Third Parties with whom we share the information                                 | Lawful reason for sharing |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|------------------|----------------------------------------------------------------------------------|---------------------------|
| Staff information, including personal details, N.I number, DBS checks, qualifications, verification of right to work in the U.K | Education Act 2005, Section 114 and accompanying regulations |                                                       |                  | Secretary of State, Local Authority, Disclosure & Barring Service<br>HR Advisory | Legal Obligation          |
| School workforce Census including staff personal details                                                                        | Education Act 2005, Section 114 and accompanying regulations |                                                       |                  | Department for Education                                                         | Legal Obligation          |
| School workforce Census – Staff Ethnicity                                                                                       | Education Act 2005, Section 114 and accompanying regulations | Necessary for reasons of substantial public interest. |                  | Department for Education                                                         | Legal Obligation          |
| Returns for National                                                                                                            | Income Tax (PAYE) Regulations 2003,                          |                                                       |                  | HRMC, Warwickshire Education Service                                             | Legal Obligation          |

|                                                                                                  |                                                                                   |                                   |                                                                                                      |                  |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------|------------------|
| Insurance & Tax returns                                                                          | Social Security (contributions) 2001                                              |                                   |                                                                                                      |                  |
| Accident Records                                                                                 | Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013 (RIDDOR) |                                   | Health & Safety Executive, and Local Authority Health & Safety team (where necessary)<br>HR Advisory | Legal Obligation |
| Individual Staff Health & Safety Risk Assessments and Personal Emergency Evacuation Plans (PEEP) | Health and Safety at Work etc Act 1974 and accompanying legislation               | protect someone's vital interests | Shared with relevant staff to ensure employee safety<br>HR Advisory                                  | Legal Obligation |
| Qualifying Complaint Information                                                                 | Education Act 2005, Section 11B                                                   | Public Task                       | HMO Chief Inspector, LA,                                                                             | Legal Obligation |
| Verification of Right to work in the U.K (Single Central Record)                                 | Immigration, Asylum and Nationality Act 2006, Section 15                          |                                   | Local Authority, Ofsted                                                                              | Legal Obligation |

**Table 2** – Personal information we are required to process as it is necessary to protect someone's vital interests

| <b>Information Type</b>                              | <b>Special Category - additional lawful reason</b>                                                                                                             | <b>Third Parties with whom we share the information</b>                                                         | <b>Lawful reason for sharing</b> |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------|
| Medical Information                                  | Necessary to protect vital interests of the data subject or another person where the data subject is physically incapable of giving consent – Legal Obligation | Medical staff i.e. paramedics/ambulance Responsible/First aid trained staff on residential trips<br>HR Advisory | Vital Interest                   |
| Staff Dietary Requirements (food allergies)          | Necessary for preventative/ occupational medicine, Legal Obligation                                                                                            | Medical staff i.e. paramedics/ambulance , ABM                                                                   | Vital Interest                   |
| Medical Conditions & Staff Emergency Contact Details | Necessary for preventative/ occupational medicine, Legal Obligation                                                                                            | Medical staff i.e. paramedics/ambulance<br><br>Responsible/First aid trained staff on residential trips         | Vital Interest                   |

**Table 3** - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’ - Please note, you have the right to withdraw your consent for us to process your data in this way at any time.

| Information Type | Third Parties with whom we share the information                                                                                                                                        | Lawful reason for sharing |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Photographs      | Local Press/Media, Staff Medical Noticeboard, Parents & Community (Newsletter, School Website, social media platforms, Annual Prospectus, Internal school displays, staff photo board). | Consent                   |

**Table 4** - Personal information we are required to process because it is necessary to do so in order to perform a public task. You have the right to object or restrict processing that is carried out for the purposes of Public Task – However, please note that this is not an absolute right and would only apply in certain circumstances.

| Information Type                                                                                                                                                   | Special Category - additional lawful reason                                            | Third Parties with whom we share the information                                                                          | Lawful reason for sharing |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Attendance Records at staff meetings and staff training                                                                                                            |                                                                                        | HR Advisory                                                                                                               | Public Task               |
| Absence Records (including number of absences, reasons for absence & self-certifications forms)                                                                    |                                                                                        | Local Authority – HR & Payroll Team, HR advisory                                                                          | Public Task               |
| Staff personal characteristics i.e Religion/Gender/Ethnicity                                                                                                       | Necessary for reasons of substantial public interest – legal obligation – equality act | Department for Education, Local Authority – Confidential Recruitment Monitoring, Diocesan Education Service annual census | Public Task               |
| Information relating to Trade Union Membership where there is industrial action that may impact the function of the school including class and/or school closures. | Article 9 (2) (b)<br><i>Employment and social security and social protection law</i>   | DFE                                                                                                                       | Public Task               |
| Images captured on our CCTV system for safeguarding and crime prevention                                                                                           |                                                                                        | Not routinely shared; may be shared with law enforcement, insurers or regulatory bodies where required                    | Public Task               |
| Photographs                                                                                                                                                        |                                                                                        | Internally where required to identify individuals for safeguarding                                                        | Public Task               |

**Table 5** - Personal information we are required to process because of a contract we have with you or because you have asked us to take specific steps before entering into a contract

| Information Type                                                                                                                    | Special Category - additional lawful reason | Third Parties with whom we share the information                   | Lawful reason for sharing |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------|---------------------------|
| Recruitment Information – Application forms, interview notes, Medical questionnaires & references                                   |                                             | Local Authority & Ofsted, HR Advisory                              | Contract                  |
| Absence Records (including number of absences, reasons for absence & self-certifications forms)                                     |                                             | Local Authority – HR & Payroll Team, HR advisory                   | Contract                  |
| Disciplinary action taken                                                                                                           | Public Task                                 | Local Authority – HR advisory team where relevant                  | Contract                  |
| Grievances                                                                                                                          |                                             | Local Authority – HR advisory team where relevant                  | Contract                  |
| Staff Information i.e name D.O.B, address, contact details, Emergency contact details                                               |                                             | Department of Education – school workforce census.                 | Contract                  |
| Pension information                                                                                                                 |                                             | Local Government and Teacher Pension Schemes                       | Contract                  |
| P45 Forms                                                                                                                           |                                             | Local Authority – HR & Payroll team                                | Contract                  |
| Consent Forms i.e UK GDPR, Policy Agreement                                                                                         |                                             | HR Advisory                                                        | Contract                  |
| Staff personal bank details                                                                                                         |                                             | Local Authority                                                    | Contract                  |
| Appraisal Records, appraisal notes, feedback from colleagues, objectives, updated job descriptions, pay & promotion recommendations |                                             | HR Advisory                                                        | Contract                  |
| Staff information, including personal details, N.I number, DBS, Address, Phone number.                                              |                                             | Secretary of State, Local Authority, Disclosure & Barring Service, | Contract                  |

**Table 6** - Personal information we process because we have a legitimate interest. Please note that the right to object will apply to *some* of this processing, please see the section above that refers to ‘*What are your rights with respect of your personal information?*’

| Information Type | Special Category<br>additional lawful reason | -Third Parties with whom we<br>share the information | Lawful reason for sharing |
|------------------|----------------------------------------------|------------------------------------------------------|---------------------------|
|------------------|----------------------------------------------|------------------------------------------------------|---------------------------|