



PRIVACY NOTICE – FOR STAFF (How we use workforce information)

The Grand Union MAT is the Data Controller for the use of personal data in this privacy notice.

Introduction

This privacy notice advises all employees, and/or consultants and volunteers of the school's data protection responsibilities on the collection and processing of their personal information.

We collect and process your personal data to assist us in the running of the school and to manage the employer / employee relationship.

We are committed to being transparent about how we collect and use your data and meet our data protection obligations.

We are required to explain how and why we collect "personal" data and what we do with that information. This notice will also explain what your rights are with regard to any of your personal information that we hold and process.

Our Data Protection Officer is Mr Kamal Thacker (Deputy Headteacher). He is the named person with responsibility for ensuring that individuals' personal information is held and processed in the correct way. He can be contacted at kthacker@featherstonehigh.ealing.sch.uk. Questions about this policy, or requests for further information, should be directed to him.

Data Protection Principles

When we process any personal data about our staff we must follow data protection principles:

- We process personal data lawfully, fairly and in a transparent way
- We collect personal data only for stated, specified and legitimate purposes
- We process personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing
- We keep accurate personal data and take all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay
- We keep personal data only for the period necessary for processing
- We adopt appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, accidental loss, destruction or damage.

Where we process special categories of personal data e.g. criminal records data, this is done in accordance with legal requirements. We will update personal data promptly if an individual advises us that his/her information has changed or is inaccurate.

The categories of school information that we process

These include:

- Personal information (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, hours worked, post, roles and salary information)

- Work absence information (such as number of absences and reasons)
- Qualifications (and, where relevant, subjects taught).

What other data do we hold about you?

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Information about your use of our information and communications systems, equipment and facilities (e.g. school computers).

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Sickness records
- Photographs and CCTV images captured in school
- Information about trade union membership.

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

Any staff member wishing to see a copy of the information held about them should contact the school's senior HR manager Harjinder Johal.

Why we collect and use workforce information

We use the data listed above to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- 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
- Make sure our information and communications systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely.

Our legal grounds for using your personal data

Under data protection law, the legal reasons for processing personal data must include one or more (but not all) of the following:

- Consent
- For the performance of a contract
- To comply with a legal obligation
- To protect the vital interests of the individual or another person
- For a task carried out in the public interest
- For a legitimate interest of the school or one of the organisations it shares data with (e.g. legal adviser) except where those rights are overridden by the fundamental rights and freedoms of the data subject.

Consent

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal data, you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

Performance of a contract

We need to process data to enter into an employment contract with you. For example, we need to process your data to provide you with a contract, to pay you in accordance with your contract and to administer benefit, pension and insurance entitlements.

Your personal data, where it is reasonable to do so, may also be shared with other professionals contracted by the school, such as legal and professional advisers.

Other examples include:

- We operate and keep a record of absence and absence management procedures, to allow effective workforce management and to ensure that employees are receiving the pay or other benefits to which they are entitled
- We obtain occupational health advice, to ensure that we comply with duties in relation to individuals with disabilities, meet our obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled
- We 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 we comply with contractual or legal duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled
- We 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.

Legal obligation

In some cases, we need to process data to comply with our legal obligations. For example, we must check an employee's or worker's entitlement to work in the UK, deduct tax, comply with health and safety laws and enable staff to take periods of leave to which they are entitled. Safer recruitment procedures in schools also require appropriate checks to be made on people who work with children.

Statutory reporting requirements are included within this section. As is disclosing information to third parties such as the courts or the police where we are legally obliged to do so.

Other examples include: We obtain occupational health advice and keep a record of other types of leave as mentioned above.

Vital interests

An example of a vital interest is where we need to disclose information about you to prevent you or someone else from being seriously harmed or killed. It covers emergency situations such as disclosing information to a medical professional about you in circumstances where you are unable to provide the information yourself.

Legitimate interests

We have a legitimate interest in processing personal data before, during and after the end of the employment contract. Processing employee data allows us to:

- Run recruitment and promotion processes
- 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 as above
- Obtain occupational health advice as above
- Operate and keep a record of other types of leave as above
- Respond to and defend the school against legal claims or other investigatory processes.

Collecting workforce information

We collect personal information from:

- Application forms and CVs
- Your passport or other identity documents, such as your driving licence
- Third parties such as the Disclosure and Barring Service (DBS) in carrying out safeguarding checks
- Forms completed by you at the start of or during your employment or engagement with us (such as benefit nomination forms)
- Correspondence with you
- Interviews, meetings or other assessments
- Information that has been made manifestly public by you e.g. through social media.

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

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 refer to our GDPR policy.

Sending information to other countries

With cloud-based storage and some other services sometimes being supplied outside the UK, personal data can be sent to other jurisdictions.

Our servers and storage systems are based in the UK and we have ensured that appropriate safeguards are in place to protect your personal data.

Automated decision-making and profiling

We do not make automatic decisions regarding individuals to profile them.

Special categories of personal data / GDPR section 9

Special categories of data include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

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

The school also processes other special categories of personal data, such as information about ethnic origin or religious belief. This is done for the purposes of equal opportunities monitoring and in accordance with its Public Sector Equality Duty in accordance with the Equality Act.

Some of the reasons we process such data include:

- Defend against legal claims. by sharing information with our legal advisers and insurers
- Medical purposes. This includes medical treatment and the management of healthcare services.

How do we protect individuals' personal data?

We take the security of your personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical measures to ensure the security of data. For example, we ensure the school uses encrypted devices, uses passwords, virus protection and has appropriate firewalls.

We have checked our third-party providers are fully compliant with the GDPR and that appropriate controls and safeguards are in place to protect individuals' data that is shared with them.

Who we share workforce information with

We routinely share this information with:

- Administrative officers and IT services serving the Grand Union Multi Academy Trust
- London Borough of Ealing (only where applicable)
- The Department for Education (DfE)
- Auditors, professional advisors or consultants, police forces, the courts and tribunals, regulatory bodies such as Ofsted.

Why we share school 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

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 children and young people with the Department for Education (DfE) for the purpose of those 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.

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 [Kamal Thacker our data protection officer].

Depending on the lawful basis above, you may 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
- A right to seek redress, either through the ICO, or through the courts.

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/>

Your rights - 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 [Kamal Thacker, our data protection officer].

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance. Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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 8th January 2024.

Contact

If you would like to discuss anything in this privacy notice, please contact: [Kamal Thacker our data protection officer].