

# Privacy Notice - Staff

Approved by RET Board

Approved on May 2018

SLT contact Headteacher

Revision due Every 2 years



## Privacy Notice Staff

*GDPR & Data Protection Bill 2018 - This privacy notice is for the school workforce*

### 1. Background

Under data protection law, individuals have a right to be informed about how the school uses 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 individuals we employ, or otherwise engage, to work at our school.

Each RET School is the 'data controller' for the purposes of data protection law.

### 2. The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. 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
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

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

### 3. Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

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## 4. Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data
- We need to protect your vital interests (or someone else's interests)

Where we collect and process individual's sensitive personal data, known as "special category data" under the law, (e.g. medical and healthcare information, disabilities, ethnic origin, religious beliefs and biometrics), this will be under the legal basis of:

- You have given us specific and explicit consent
- To safeguard your welfare and/or to support the provision of medical care, including disclosing an your medical condition in the event of an emergency, accident or incident where it is in the individual's (or someone else's) vital interests to do so
- For legal and regulatory purposes (e.g. safeguarding, employment, health and safety laws)
- For the establishment, exercise or defence of legal claims – this allows us to share information with our legal advisors and insurers and the Courts.
- Where there is a substantial public interest in processing the information

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

## 5. Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

## 6. How we store this data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the [Information and Records Management Society's toolkit for schools](#).

## 7. Data sharing

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:

- The Department for Education (DFE) (including the Education Skills Funding Agency and Regional Schools Commissioner). For information on how the DFE use this information see here: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

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- Our regulator e.g. Ofsted to meet our obligations under the legislative framework for the monitoring and evaluation and assessment of schools.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll or pensions administrators and training providers.
- Financial organisations such as the school’s electronic payments provider - to meet the school’s financial commitments and to ensure the effective working of its financial systems.
- Central and local government – to meet the requirements under the Trust’s Funding Agreement and other data collection requirements such as statistical and financial returns.
- Our internal and external auditors - to meet our legal obligations to have our accounts audited in accordance with legislation.
- Survey and research organisations – to support the collation of data to support the improvement of education across the country.
- Security organisations – to ensure that our staff and students are as safe as possible and to meet our obligations and duties under legislation.
- Health and social welfare organisations such as occupational health advisers – to meet our obligations to protect the welfare of our staff.
- Professional advisers and consultants – to ensure that we can meet our educational and legal requirements
- Police forces, courts, tribunals – to meet our obligations to share certain information in accordance with legislation.
- Professional bodies to ensure that can meet our educational and legal requirements e.g. in employing teaching staff.
- Other Russell Education Trust schools and the Trust’s central team to support the effective management and operation of the school, for example to facilitate benchmarking exercises.

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## 8. Your rights

### 8.1 How to access personal information we hold about you

Individuals have a right to make a ‘**subject access request**’ to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please refer to the information set out in the School’s Data Protection Policy or contact our data protection officer.

### 8.2 Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe.

You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing

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- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

## 9. Complaints

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.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

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

## 10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

- **Email address:** [DPO@Russelleducationtrust.org.uk](mailto:DPO@Russelleducationtrust.org.uk)
- **Address:** Data Protection Officer, Russell Education Trust, Manor House, The Crescent, Leatherhead, Surrey, KT22 8DY. Please mark private and confidential for the attention of the Data Protection Officer.

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce amended to reflect the way we use data in this school.