

## **Sentamu Academy Learning Trust Staff Privacy Notice July 2020**

*Approved by the Board of Trustees 13.07.20, for review July 2022*

### **1. How we use academy workforce information**

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

- Personal information (such as name, address, employee or teacher number, national insurance number, personal telephone number or email address);
- Special categories of data including physical or mental health and characteristics information such as gender, age, ethnic group;
- Contract information (such as start dates, hours worked, post, roles, salary information, eligibility to work and Disclosure and Barring Checks);
- Work absence information (such as number of absences and reasons);
- Qualifications and training (and, where relevant, subjects taught);
- Role and duties, including appraisal and evaluation of performance;
- Images including identity badge photographs and images captured on CCTV systems;
- Details relating to any employment disputes, grievances or complaints;
- Details of complaints or concerns in respect of the academy and its staff.

### **2. Why we collect and use this information**

We use academy workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed;
- Inform the development of recruitment and retention policies;
- Enable individuals to be paid;
- Manage the duties, workload and performance of employees;
- Resolve employment issues and disputes;
- Meet legal obligations in areas such as safeguarding, health and safety, data protection, taxation and national insurance contributions;
- Manage and protect the academy site(s) and assets;
- Emergency response planning and responding to emergencies.

#### **2.1 Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

### 3. The lawful basis on which we process this information

We process this personal information under the following GDPR Article 6(1) Conditions-

- a) 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;
- b) Processing is necessary for compliance with legal obligations to which the controller is subject;
- c) Processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- d) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

#### 3.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way;
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law;
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent;
- The data concerned has already been made manifestly public by you;
- We need to process it for the establishment, exercise or defence of legal claims;
- We need to process it for reasons of substantial public interest as defined in legislation;
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law;
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law;
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way;
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent;

- The data concerned has already been made manifestly public by you;
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights;
- We need to process it for reasons of substantial public interest as defined in legislation.

#### **4. Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it may be 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 academy workforce information and if you have a choice in this.

#### **5. Storing this information**

We hold academy workforce data in accordance with the document retention policy which is available from the Trust's website.

#### **6. Whom we share this information with**

We routinely share this information with:

- The Department for Education (DfE);
- Other members of the Academy Trust.

#### **7. Why we share academy 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. Our Data Protection Policy is available on the Trust's website [www.Salt.sentamu.com](http://www.Salt.sentamu.com)

##### **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 academy funding / expenditure and the assessment educational attainment.

We are required to share information about our pupils with the (DfE) under section 5 of the Education (Supply of Information about the Academy Workforce) (England) Regulations 2007 and amendments.

#### **8. Data collection requirements**

The DfE collects and processes personal data relating to those employed by academies (including Multi Academy Trusts) and local authorities that work in state funded academies (including all maintained academies, all academies and free academies and all special academies including Pupil Referral Units and Alternative Provision). All state funded academies 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-academies>.

The department may share information about academy employees with third parties who promote the education or well-being of children or the effective deployment of academy 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 academy 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>

## 9. Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold without charge. To make a request for your personal information, contact the Data Protection Representative at your site (details below) or the Human Resources Director.

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/>

## **10. Further information regarding workforce data:**

If you would like to discuss anything in this privacy notice, please contact the Trust Data Protection Officer - Emma Brice, or the Data Protection Representative for staff data at your Academy:

Archbishop Sentamu Academy – Mandy Watson, Director of HR

Aspire Academy – Chris Mulqueen, Principal

Compass Academy – Jacqui Thompson - Principal

Newland St John's CE Academy – Sarah Wilson, Headteacher

St James' CE Academy – Jane Daniels, Headteacher