

## **Workforce Privacy Notice**

### **Your personal data**

Tynsel Parkes CE Primary Academy is committed to protecting the privacy and rights of anyone who shares their personal data with us. Under data protection law, individuals have a right to be informed about how we use the personal data that we hold about them; privacy notices (sometimes called fair processing notices) are used to provide this information. Individuals can find out more information about the UK GDPR [here](#).

This privacy notice explains what personal information the Academy collects and holds about the workforce. It explains why we hold this information, what we do with it, how long we keep it for and if we share it with anyone else.

The Academy is the Data Controller; this means that we determine the purposes for which, and the manner in which, personal data relating to staff members is processed in order to comply with our legal and official functions as an employer and educational establishment.

A data protection representative for the Academy, Mrs Sandbach, can be contacted on 01889 221920, [office@tynselparkesacademy.co.uk](mailto:office@tynselparkesacademy.co.uk) in the first instance for any queries in relation to the processing of your personal data.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or [dpo@suatrust.co.uk](mailto:dpo@suatrust.co.uk).

The information you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>. Please note that this privacy notice may be updated at any time.

### **The personal data that we store and use**

The personal information that the Academy collects regarding its workforce will be utilised to meet our statutory duties, fulfil the contract of employment that you hold with us and to fulfil our purpose as a public sector organisation.

The categories of personal information that we process includes the following:

- Personal information – name, employee or teacher number, National Insurance number, address, date of birth, contact number and email address
- Employment history
- References
- Qualifications and where relevant, subjects taught
- Means of identification
- Pre-employment vetting including DBS data
- Right to work information

- Vehicle registration
- Driving licence (if the member of staff is required to drive for work purposes, or for identification)
- Marital status
- Emergency contact information – name, relationship and telephone number
- Contract and payroll information including timesheets, bank details, start date, hours worked, post, role/s, salary information, maternity/paternity pay records, pension information
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information
- Work absence information – e.g. number of absences and reasons for absence, return to work documentation, medical notes
- Data relating to mental health and wellbeing including referrals to occupational health and other support services
- Professional development information including performance management and appraisals, training records
- Disciplinary information / data relating to warnings / letters of expectation
- Information relating to accidents and incidents on site
- Risk assessments
- Data relating to child protection and safeguarding incidents, including those reported by the member of staff
- Childcare vouchers payment information (where relevant)
- Data relating to warnings
- Staff photos for identification purposes, or where consent is provided to share this on Academy websites, social media platforms, displays
- Monitoring data about your use of the Academy's information and communications system
- Details of your use of business-related social media
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur)
- Recordings on video conferencing platforms
- TUPE information (where relevant)
- Time on and off site (signing in books and records)
- Call recordings to and from the Academy
- Information about any incidents or issues that have happened and are publicly available online

Special categories of personal information, including:

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, physical and mental health information, and sickness records
- Data relating to disability
- Demographic information required for monitoring equal opportunities
- Criminal conviction and offences data, provided as part of our recruitment process application
- Where you leave employment and the reason for leaving is determined to be ill health, injury or disability and the records relating to that decision, including information needed for pensions
- Any health information in relation to a claim made under the absence insurance scheme

### **Why we collect and use workforce information**

The personal information that the Academy collects regarding the workforce will be utilised to meet our statutory duties, fulfil our purpose as a public sector organisation and in the delivery of your contract of employment. By providing such data you will be helping us to:

- Improve the management of workforce data across the sector
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Comply with safer recruitment practices and legal obligations to keep children safe in education
- Allow better financial modelling and planning
- Enable you to be paid in accordance with your contract of employment
- Enable pensions contributions to be made
- Enable equalities monitoring and gender pay gap reporting
- Support the work of the teachers' review body (where relevant)

- Ensure staff and children are safe in the workplace and maintain security on the premises for safeguarding reasons
- Support the wellbeing and welfare of staff in the workplace
- Make reasonable adjustments where necessary
- Support effective performance management and facilitating professional development, determining performance requirements
- Enable the monitoring of selected protected characteristics
- Carry out research (where relevant)
- Personnel management including retention, sickness and attendance
- Manage internal policy and procedure
- Human resources administration including pensions, payroll and benefits
- Determine qualifications for a particular job or task, including decisions about promotions
- Evidence for possible disciplinary or grievance processes
- Adhering to legal obligations
- To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution
- To respond to insurers in respect of any insurance policies which relate to you, and pursue claims
- Arrangements for the termination of the working relationship
- To meet health and safety obligations
- For the prevention and detection of fraud or other criminal offences
- To defend the Academy in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure

The Academy collects information regarding its employees to fulfil the contract of employment and to adhere to our safer recruitment requirements and safeguarding obligations. To permit us to ensure that our safeguarding obligations are met, the Academy will collect data relating to child protection and safeguarding incidents, staff photos for identification badges and may monitor data about your use of the Academy's information and communications system.

DBS data will be verified on appointment of each staff member in accordance with the latest Keeping Children Safe in Education guidance. No copies of DBS certificates will be taken however verification of such checks will be recorded on the Academy's online single central record.

The Academy will collect information in relation to the school workforce to fulfil contractual obligations and other legitimate interests, with due regard to the Departmental Censuses provisions of the Education Act 1996.

The Academy also collects personal data to enable it to fulfil its contract of employment and enable staff to be paid, including timesheets, bank details, start date, hours, worked, post, role, salary information, maternity/paternity pay records, pension information, TUPE information (where relevant) and childcare voucher payment information. As part of the employee's contract of employment the Academy will also record work absence information including the number of absences and reasons for absence and professional development information including performance management and appraisals, training records, data relating to warnings.

The Academy collects information regarding its employees to ensure that the safety of all employees is maintained whilst under the employment of the Academy in accordance with the Health and Safety at Work Act 1974 and Managing Health and Safety Regulations 1999, including emergency contact information in case the staff member becomes unwell or is involved in an accident / incident, health information to ensure that risk assessments can be implemented as required to permit the Academy to control the risks to individuals, accident / incident reports to enable the Academy to report any accidents / incidents to the Health and Safety Executive in accordance with legal obligations under RIDDOR 2013.

The Academy verifies the competency of staff driving for work by checking their driving licence and any convictions / driving offences to enable it to fulfil its' duty of care to those who are being transported of work business.

Vehicle registration information may also be requested to enable the Academy to identify users of the car park and ensure the legitimacy of the use of the car park to help prevent accidents and incidents relating to parking, ensure sufficient parking spaces and ensure those who are authorised to access the car park, can.

The Academy collates information about staff emergency contacts. It is the responsibility of the staff member to obtain consent from their emergency contact to provide this information. The Academy may share personal information about the staff member with their emergency contact and the medical services where there is an accident or incident requiring urgent response/medical care.

Through use of the WiFi and internet system the Academy requires staff members to adhere to the Acceptable Use Policy. We record the device address and will also log traffic information in the form of sites visited, duration and date sent/received. The purpose for processing this information is to provide you with access to the internet whilst on site and to protect our systems and network from cyber security risks associated with any third party devices.

Where we require your consent for collecting data, this will be specified on the form for the request of data.

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 the UK GDPR, we will inform you at the point of collection, what information is needed whether consent is required to provide this information and who you should speak with if you have any queries about sharing information with us.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information. If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

It is important that the personal information we hold about you is accurate and current and so please keep us informed if [office@tynselparkesacademy.co.uk](mailto:office@tynselparkesacademy.co.uk)

### **Lawful basis**

Under the UK General Data Protection Regulation (UK GDPR), the legal basis we rely on for processing personal information include:

- To comply with a legal obligation (Article 6(1)c)
- To carry out a task in the public interest (Article 6(1)e)
- Where we have a legitimate interest (Article 6(1)f)
- To comply with a contractual obligation (Article 6(1)b)
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)

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

- You have given us consent to use it in a certain way (Article 6(1)a)
- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)
- As a recognised legitimate interest under the Data Use and Access Act

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data. This is data that could be considered particularly sensitive and under the UK GDPR, we have an obligation to ensure that appropriate measures are in place to keep the data secure. The legal basis/bases we rely on for processing special category data are:

- We have explicit consent (Article 9(a))
- Employment, social security and social protection (Article 9(b))
- Where we need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)
- Health or social care (Article 9(h))
- Archiving and statistics (Article 9(j))

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

### **Collecting workforce information**

We collect your personal data via the following methods:

- Application forms
- Pre employment health questionnaire
- Reference request form
- Staff information form
- Professional meetings e.g. performance management
- Accident and incident reports
- Reports from communication systems
- Medical records from your GP in the instance of absence or illness
- Information produced through the course of your employment with us e.g. training and performance information
- Home office
- Other employees
- Trade unions

The categories of data obtained and processed from third parties include (but are not limited to):

- Occupational health reports from Staffordshire County Council (with your consent)
- References from your previous employers
- DBS information
- Payroll and pensions information

Workforce data is essential for the Academy's 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.

### **Storing workforce information**

We hold data throughout your employment and for the majority of records, 6 years after the cessation of your employment. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely or rectified. We will retain this file and delete the information in it in accordance with our Retention and Records Management Policy which can be found on the Trust website [www.suatrust.co.uk](http://www.suatrust.co.uk).

Your data will be stored securely: (amend based on Academy systems/storage locations):

- Our management information system
- Our payroll system
- Our accident reporting system
- Our secure internal network
- Our personnel files
- Our single central record

We have measures in place for the security of personal information including our Cyber Response Management Plan and Information Security Policy.

### **Who we share workforce information with**

The Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so. 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.

We routinely share your information with:

- The Local Authority, Staffordshire County Council, where applicable
- The DfE
- The Multi Academy Trust as the employer
- Our management information system provider
- Our payroll provider
- Our single central record provider to support us to adhere to the statutory guidance 'Keeping Children Safe in Education'
- Our staff absence insurance provider to support us to source cover in the event of an absence and pursue absence insurance claims
- Our IT support provider to support your access to Academy ICT systems and services
- Our ICT monitoring system for cyber incident prevention and to adhere to online safety requirements
- Our signing in system, to support us to manage and register individuals on site in the event of an emergency evacuation and to ensure there is a list of individuals on the premises
- The pensions service, to ensure pensions contributions are undertaken
- Future or prospective employers
- Ofsted
- Welfare services
- Law enforcement officials
- LADO
- Training providers
- Professional advisors such as lawyers and consultants
- The DBS
- Occupational health and wellbeing services

## 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. We share your information to allow us to meet legal obligations, to support us to fulfil your contract of employment and as a public sector organisation.

### 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)

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 workforce with the Department for Education (DfE) for the purpose of those data collections, where sharing underpins workforce policy monitoring, evaluation, links to school funding / expenditure and the assessment of educational attainment. We are required to share information about our employees with the DfE under Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework, which can be found by following the link below:

<https://www.gov.uk/government/publications/security-policy-framework>

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

### How does the government use your data?

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

- Informs the DfE's policy on pay and the monitoring of the effectiveness and diversity of the school workforce.
- Links to school funding and expenditure.
- Supports longer term research and monitoring of educational policy.

You can find more information about the data collection requirements placed on us by the DfE by following this link: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share your information with third parties who promote the education or wellbeing 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 robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information.
- The purpose for which the information is required.
- The level and sensitivity of the information requested.

- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

### **How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>.

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>.

For privacy information on the data the Department for Education (DfE) collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-education-providers-workforce-including-teachers>.

### **Rights of individuals**

The UK-GDPR gives you certain rights about how your information is collected and used. This includes the right to the following in certain circumstances:

- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- To be informed about the collection and use of your personal data – this is called 'right to be informed'.
- To ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request, data subject access request or right of access request.
- To ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- To ask us to delete your personal information – this is called 'right to erasure'
- To ask us to stop using your information – this is called 'right to restriction of processing' i.e. permitting data to be stored but not processed any further.
- To object to processing of your information.
- To withdraw consent at any time (where relevant).

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- The right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- The right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- The right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

- The right to access shall be subject to the relevant exemptions. **This includes where a reference is received or provided and marked as a confidential reference. The reference which is given or received shall be exempt from issue in response to a subject access request where this is given in confidence.**

If you want to request access to the personal information we hold about you, please contact Mrs Sandbach [office@tynselparkesacademy.co.uk](mailto:office@tynselparkesacademy.co.uk)

If you are concerned about the way we are collecting or using your information, please raise your concern with the Academy's DPO in the first instance. You can also contact the ICO at <https://ico.org.uk/concerns> or via the following means:

- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **How to withdraw consent and lodge complaints**

Where our Academy processes your personal data with your consent, you have the right to withdraw your consent at any time.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the Data Protection Lead. We take any complaints about our collection and use of personal information very seriously.

### **Updating this privacy notice**

We may need to update this privacy notice periodically if we change how we collect and process data. The Academy will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

### **How can you find out more information?**

If you would like to discuss anything in this privacy notice, please contact our Data Protection lead or visit our website [www.tynselparkesacademy.co.uk](http://www.tynselparkesacademy.co.uk)

### **How Government uses your data**

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

### **Data collection requirements**

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

### **Sharing by the Department for Education (DfE)**

The Department for Education (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 Department for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education's (DfE) data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department for Education (DfE) has provided information, (and for which project) please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information the Department for Education (DfE) hold about you**

Under the terms of UK GDPR, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the

Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>  
or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>