

Privacy Notice for Staff
General Data Protection Regulation

Tynsel Parkes CE Primary Academy's Commitment to Data Privacy

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

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

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to staff members is to be processed in order to comply with legal obligations and legitimate interests (in accordance with Article 6 of the UK GDPR) as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

A data protection representative for the Academy, **Mrs Sandbach**, can be contacted on **01889 221920** or **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 hkirkham@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>.

The personal data we process

The personal information that the Academy collects regarding staff members will be utilised to meet our statutory duties, fulfil the contract of employment you hold with us and to fulfil our purpose as a public sector organisation in the delivery of quality teaching and learning.

Staff data is essential for the Academy's operational functions and whilst the majority of personal information you provide to us is mandatory, some of it may be requested on a voluntary basis.

We process data relating to those who are employed by the Trust. Personal data that we collect, use, store and when appropriate, share, about you includes but is not restricted to:

- Name, address, date of birth, gender, contact telephone number and email address, national insurance number
- Employee / teacher number
- Employment history
- References
- National insurance number
- 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
- Contract and payroll information including timesheets, bank details, start date, hours worked, post, roles, salary information, maternity/paternity pay records, pension information
- Work absence information including the number of absences and reasons for absence
- Professional development information including performance management and appraisals, training records
- Disciplinary information
- Information relating to accidents and incidents on site
- Risk assessments
- Data relating to warnings
- Data relating to child protection and safeguarding incidents
- Childcare vouchers payment information (where relevant)
- 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
- TUPE information (where relevant)

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, physical and mental health information, and sickness records
- Criminal data provided as part of our recruitment process application
- Data relating to disability

You may be providing the Academy with data which is specified under the UK General Data Protection Regulation as Special Category Data, which is data that could be considered particularly sensitive. This means that, under the UK GDPR, we must have a lawful basis for processing this data and have obligations to keep this data secure.

Staff members' personal data will be sought from the data subject themselves. Third parties will be contacted to obtain staff members' personal data with the data subject's consent, unless the Academy has a legal basis for doing so. Referees may be contacted to obtain personal information in the form of references of the data subject, to enable the Academy to fulfil its' legal duty of safeguarding and form an assessment of suitability for the staff member to fulfil a public sector position.

Why we use this data

The personal information that the Academy collects regarding staff members 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 equalities monitoring;
- Support the work of the teachers' review body (where relevant);
- Ensure staff and children are safe in the workplace;
- Support the wellbeing and welfare of staff in the workplace;
- Make reasonable adjustments where necessary;
- Support effective performance management and facilitating professional development;
- Enable the monitoring of selected protected characteristics;
- Carry out research;
- Maintain security on the premises to safeguard staff and children.

The Academy collects information regarding its employees to fulfil the contract of employment and to adhere to our safer recruitment requirements and safeguarding obligations under Section 175 of the Education Act 2002. 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 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 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. 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 academy's use of your data.

Our lawful basis for using this data

The data of staff members is essential for the Academy's operational use to facilitate safer recruitment practices, fulfil your contract of employment and fulfil our duties to delivery quality education and support welfare and wellbeing. 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, 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.

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

- Comply with a legal obligation (Article 6(1)c)
- Carry out a task in the public interest (Article 6(1)e)
- Legitimate interest (Article 6(1)f)
- Comply with a contractual obligation (Article 6(1)b)

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)

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- 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.

Data obtained by the data subject:

Staff members' personal data will be sought from the data subject themselves. No third parties will be contacted to obtain staff members' personal data without the data subject's consent, unless the Academy has a legal basis for doing so.

Data obtained directly from third parties:

Staff members' personal data may be obtained and processed from third parties where the law requires the Academy to do so or where the Academy has consent. The categories of data obtained and processed from third parties include (but are not limited to):

- Medical records from your GP in the instance of absence or illness
- Occupational health reports from Staffordshire County Council
- References from your previous employers

How we store this data

We hold data throughout your period of your term 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. We will retain this file and delete the information in it in accordance with our Compliant Records Management Policy.

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.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information.

Who we share information with:

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority, Staffordshire County Council – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions, health and safety and financial purposes.
- The Department for Education
- Your family - to support your health and welfare in the event of an emergency or ill health at work
- Ofsted
- Suppliers and service providers, including professional bodies, professional advisers and consultants – so that they can provide the services we have contracted them for.
- Our auditors – to ensure that we comply with finance, data protection and health and safety.
- Survey and research organisations – to gather your feedback about the Academy.
- Health authorities and health and social welfare organisations – to ensure we support your health and wellbeing.
- Charities and voluntary organisations

- Police forces, courts, tribunals – to ensure the Academy meets legal requirements.
- Website and social media – where you have consented to the sharing of your information here.
- Medical/Paramedic Services - Incidents relating to the safety of the building occupants requiring medical/paramedic/ambulance services.

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 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.

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>

The department may share information about school employees 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 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 strict approval processes and based on a detailed assessment of:

- Who is requesting the data
- The purpose for which it is required
- The level and sensitivity of the data requested
- The arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality of handling 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/guidance/data-protection-how-we-collect-and-share-research-data>.

How Government uses your data

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

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to Academy 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 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

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 school 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 school 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.

How to find out what personal information DfE hold about you

Under the terms of the UK GDPR, you're entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

To contact the department: <https://www.gov.uk/contact-dfe>

Your rights

- Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them. A request can be made to the Academy's Data Protection Representative, whose contact details can be found within this Privacy Notice. If you would like to make a request, please find a link to the information to the supporting information [here](#).
- You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

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

To exercise any of these rights, please contact our Data Protection Representative.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – hkirkham@suatrust.co.uk

Telephone – 01782 987120

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

Further information

If you require further information about how we use your personal data, please visit our website, www.tynselparkesacademy.co.uk