

THE ROSE LEARNING TRUST

PRIVACY NOTICE FOR STAFF

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| Prepared by | DPO |
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Privacy Notice (How we use workforce information)

This notice explains what personal data (information) we hold about you, how we collect it and how we use and may share information about you. We are required to give you this information under data protection law.

As an employer, the Trust collects and processes your personal data for employment and application for employment purposes. We will process your personal data in accordance with the General Data Protection Regulations and other relevant legislation, and not disclose your personal data to any other third party, unless allowed or required to do so under the relevant legislation.

Who are we?

The Rose Learning Trust collects uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

Our Data Protection Officer can be contacted via DPO@roselearning.co.uk

The categories of school information that we collect, and process include: In the course of employing staff in our organisation we collect the following personal information when you provide it to us:

- 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)
- Relevant medical information
- next of kin and emergency contact numbers
- 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
- fulfil our duty of care towards our staff
- outcomes of any disciplinary and/or grievance procedures
- photographs, for ID badges, or to identify our staff to the wider public. We follow DfE guidance in displaying staff details and roles via our schools' websites and notice boards, to give pupils and parents a clear picture of who is working at the school.
- Data about your use of the school's information and communications system

We use CCTV in various locations around our school sites within the Trust to ensure it remains safe. We will adhere to the ICO's Code of Practice for the use of CCTV.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

Any enquiries about the CCTV system should be directed to the DPO

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

This list is not exhaustive.

Collecting workforce information

We collect this information in a variety of ways. For example, data is collected through application forms; from forms completed by you at the start of or during employment; data collection forms; computer records; signing in/out records; CCTV footage; biometric capture for the purposes of charging for meals; from your passport or other identity documents such as your driving licence; from correspondence with you; or through interviews, meetings or other assessments (for example, team development/appraisals).

In some cases, we collect personal data about you from third parties. For example, references supplied by former employers and/or information from criminal records checks (known as DBS checks) permitted by law.

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.

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 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
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Meet audit or statutory requirements e.g. regarding expenses claims

The lawful basis on which we process this information

We rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

Processing basis 1: Processing is necessary in order to meet our duties as an employer (Article 6 1 c compliance with a legal obligation and Article 9 2 b carrying out obligations and exercising specific rights in relation to employment).

Processing basis 2: Processing 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 (Article 6 1 b re contract of employment or for the provision of a service to commercial client).

Processing basis 3: the data subject has given consent to the processing of his or her personal data for one or more specific purposes (Article 6 1 a and 9 2 a)

We are required to share information about our workforce members under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

Who we share workforce information with?

We do not share information about you 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:

- HM Revenue and Customs
- Pension Schemes
- Healthcare, social and welfare professionals and organisations

- Other schools within The Rose Learning Trust
- The Disclosure and Barring Service
- Local Authority
- Educators and examining bodies
- Charities and voluntary organisation
- Health Authorities
- Trade Unions and associations
- Survey and research organisations
- Central Government Departments
- Educators and Examining bodies
- Professional Bodies and consultants
- Law enforcement agencies and bodies
- Courts and Tribunal
- Legal representatives
- Ombudsman and Regulatory bodies
- Service providers
- Trade Unions
- Our auditors
- Suppliers and service providers – to enable them to provide the service we have contracted them for such as payroll or employee wellbeing
- Regulatory bodies e.g. Ofsted

With your explicit consent, we will share information with:

- Credit Reference Agencies;
- Mortgage Providers, Housing Associations and landlords
- To support TUPE arrangements the minimum necessary personal data and special categories of personal data will only be passed to the new employer.

We will share personal information with law enforcement or other authorities if required by applicable law, for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings or to protect interests of you or another.

The Department for Education (DfE) collects and processes personal data relating to those who work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

The 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
- Collecting workforce information

Department for Education

We are required to pass information about our school employees to the DfE under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework. <https://www.gov.uk/government/publications/security-policy-framework>

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 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 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

The 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 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 it and its use. Decisions on whether the 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

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

Storing workforce information

Personal data is stored in a range of different places, including your school personnel file, single central records, SIMS, IT systems of the Trust's HR and Payroll provider, and in other IT systems (including the school's email system). The information is kept secure and is only used for purposes directly relevant to your employment, or for audit and census information.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Trust's Records Management policy.

Your Rights

How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding it and using it, and how long we keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (Decision being taken by a computer or machine, rather than by a person)
- Give you a copy of the information
- You may also ask us to send your personal information to another organisation electronically in certain circumstances

Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to: -

- Say that you do not want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials

- Say that you do not want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it?
- Claim compensation if the data protection rules are broken and this harms you in some way

Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we have done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer, DPO@roselearning.co.uk

You can also complain to the Information Commissioner's Office in one of the following ways:

- Online: <https://ico.org.uk/concerns>
- Call: 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, **Cheshire, SK9 5AF**

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

Deborah Temperton

DPO@roselearning.co.uk