



## Workforce Privacy Notice

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<b>Next review due by:</b>	02.09.2020	

## Workforce Privacy Notice

This privacy notice advises, employees, workers, self-employed staff and/or consultants, trustees and volunteers of the trust's data protection responsibilities on the collection and processing of their personal information.

Information that we hold in relation to you is known as your "personal data". This is information that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold your personal data for a period after you have left the trust. Anything that we do with your personal data is known as "processing".

We, Raleigh Learning Trust at c/o Ambleside Academy, Minver Crescent, Nottingham, NG8 5PN are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Claire Beardsall.

We collect and process your personal data to assist in the running of the trust and the individual school/s you are based within and to manage the employment relationship of, or otherwise manage, those who are engaged to work or perform services for us.

We are committed to being transparent about how we collect and use the data and to meeting our data protection obligations.

### The personal data we hold

There are several reasons why we hold, process and share your personal data. Under data protection laws, the lawful reasons for processing personal data include:

- Consent
- For the performance of a contract
- To comply with a legal obligation
- To protect the vital interests of you or another person
- For a task carried out in the public interest
- For a legitimate interest of the trust or one of the schools or organisations it shares data with (e.g. legal advisor) except where those rights are overridden by the interests or fundamental rights and freedoms of the data subject which require protection.

Sometimes the handling of your personal data falls within several of the above lawful grounds.

### Consent

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal data, you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. This may include, but is not limited to, photographic consent, occupational health referrals etc.

## **Performance of a contract**

We need to process data to enter into an employment contract or other contract of engagement with you and to meet our obligations under such contract. Your personal data, where it is reasonable to do so, may also be shared with other professionals contracted by the school, such as legal and professional advisers or HR providers.

Other examples include:

- We need to process your data to provide you with a contract, to pay you in accordance with your contract and to administer benefit, pension and insurance entitlements.
- We operate and keep a record of absence and absence management procedures, to allow effective workforce management and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- We operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure we comply with contractual or legal duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency) and records of employee contractual and statutory rights.
- Ensure effective general HR and business administration

## **Legal Obligation**

- We obtain occupational health advice, to ensure that we comply with duties in relation to individuals with disabilities, meet our obligations under health and safety law, and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- The operation and record of other types of leave as stated above.
- We must check an employee's or worker's entitlement to work in the UK, deduct tax, comply with health and safety laws and enable staff to take periods of leave to which they are entitled to.
- Safer recruitment procedures within school also requires appropriate checks to be made with staff as they work with children.

## **Vital Interests**

We may need to provide information to a medical professional about you in circumstances where you are unable to provide the information yourself. This may cover an emergency.

## **Legitimate Interests**

We have a legitimate interest in processing personal data before, during and after the end of the employment or contractual relationship/engagement. Processing employee data allows us to:

- Run recruitment and promotion processes
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.

- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- Respond to and defend against legal claims or other investigatory processes.

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

### **Why we use this data**

We process data relating to those we employ to work at, or otherwise engage to work or support the school. The purpose of processing this data is to assist in the running of the trust, including to:

- Enable you to be paid
- Facilitate safe recruitment
- Support the effective performance management of staff
- Improve the management of workforce data across the sector
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Support the work of the Schools Teachers' Review Body
- To safeguard our pupils and other individuals
- To ensure safe working practices

### **Why we hold special category personal data**

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy.
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy
3. For the purposes of preventative or occupational medicine in order to assess your working capacity and/or the need for reasonable adjustments
4. Where we otherwise have your explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

### **The data we hold**

The personal data we hold regarding you can include, but is not limited to, information such as:

- Personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, date of birth, gender, emergency contact details, nationality and entitlement to work in the UK)
- Contract information (such as start dates, hours worked, post, roles and salary information and bank/building society details)
- Work absence information (such as number of absences and reasons, including information regarding physical and/or mental health, compassionate leave records)
- Qualifications/training courses attended and, where relevant, subjects taught
- Performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- Other information (such as pension arrangements and all information included in these necessary to administer them, time and attendance records, information in applications made for other posts within the school, criminal records information including the results of Disclosure and Barring Service (DBS) checks, details in references the school receives or provides to other organisations, CCTV footage and images)

We will also use special categories of data including such as gender, age, ethnic group, sexual orientation, religious or similar beliefs, trade union membership, information about health, genetic information and biometric data. These types of personal data are subject to additional requirements.

### **How long we will hold information in relation to our workforce**

We will hold information relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information.

We will keep certain information after you have left the school. A copy of our Retention Schedule is available from the Data Protection Officer or from the trust website.

### **Who we will share information with about our workforce**

We routinely share information about our workforce with:

- The Department for Education and the Education Skills Funding Agency, in compliance with legal obligations of the school to provide information about our workforce as part of statutory data collections
- Contractors, such as payroll, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP regarding tax payments and benefits
- Our professional advisors including legal and HR consultants
- Our LGPS pension provider
- Teacher Pensions
- With our third party, IT services provider, namely Capita – SIMS
- SAM (School Absence Management) Software
- Trade Unions
- School based information management system – InVentry
- Criminal record checks from the Disclosure and Barring Service
- Local Authority Workforce Census

The Department for Education may share information that we are required to provide to them with other organisations. For further information about the Department's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

Contact details for the Department can be found at <https://www.gov.uk/contact-dfe>

Your personal data may be shared internally with other members of staff in order for them to perform their roles. Throughout these processes, we maintain strict confidentiality and only process and retain the personal data for as long as is necessary in accordance with our retention schedule and the processing purposes we state.

## **How we protect your personal data**

We take the security of your personal data very seriously. We have internal policies and controls in place to try to ensure that data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties. Where we engage third parties to process personal data on our behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. For example, we ensure all our schools use encrypted devices, passwords, virus protection and have the appropriate firewalls.

## **Rights of our workforce in relation to their personal data**

All of our workforce have the right to request access to personal data that we hold about them. To make a request for access to your personal data, individuals should contact:

Claire Beardsall - [claire.beardsall@raleighlearningtrust.co.uk](mailto:claire.beardsall@raleighlearningtrust.co.uk)

Raleigh Learning Trust c/o Ambleside Academy, Minver Crescent, Nottingham, NG8 5PN  
0115 8850100

You also have the right, in certain circumstances, to:

- Object to the processing of your personal data
- Have inaccurate or incomplete personal data about you rectified
- Restrict processing of your personal data
- Object to the making of decisions about you taken by automated means
- Have your data transferred to another organisation
- Claim compensation for damage caused by a break of your data protection rights

If you want to exercise any of these rights then you should contact Claire Beardsall on the above details. The law does not oblige the trust to comply with all requests. If the trust does not intend to comply with the request then you will be notified of the reasons why in writing.

## **Concerns**

If you have any concerns about how we are using your personal data then we ask that you contact our Data Protection Officer in the first instance. However, you can contact the Information Commissioner's Office should you consider this necessary, at <https://ico.org.uk/concerns/>.

## Contact

If you would like to discuss anything in this privacy notice, please contact:

Claire Beardsall - [claire.beardsall@raleighlearningtrust.co.uk](mailto:claire.beardsall@raleighlearningtrust.co.uk)

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