

## PRIVACY NOTICE

### Employees

Reviewed: Mar 2021 Review Frequency: Annual



### Who processes your information

Ebor Academy Trust is a *Data Controller* of 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 employees is to be processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Trust has appointed the Director of Risk, Governance and Compliance as its *Data Protection Officer* (DPO). The role of the DPO is to ensure that the Trust is compliant with GDPR and to oversee data protection procedures. The DPO's email address is: [dpo@ebor.academy](mailto:dpo@ebor.academy)

### Why we need your information

Ebor Academy Trust has the legal requirement and a legitimate interest to collect and process personal data relating to those we employ.

We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Multi-Funding Agreements and Supplementary Funding Agreements with the Department for Education (DfE)
- Legal and statutory framework
- Safeguarding Vulnerable Groups Act 2006
- The guidance "Keeping Children Safe in Education"
- The Childcare (Disqualification) Regulations 2009

Staff member's personal data is also processed to assist in the running of Ebor Academy for the following reasons:

- to provide education and associated functions
- for employment contractual requirements
- for employments checks, e.g. right to work in the UK and Safeguarding checks
- to enable individuals to be paid
- to support professional development
- to inform the development of recruitment and retention policies
- to enable the development of a comprehensive picture of the workforce and how it is deployed
- to enable equalities monitoring
- to allow better financial modelling and planning
- to assess the quality of our services
- to comply with the law regarding data sharing

### **Information that we collect, process, hold and share includes:**

- personal information (i.e. name, address, employee or teacher number, national insurance number, next of kin information)
- characteristics (i.e. age, gender)
- special categories of data (i.e. ethnicity, biometrics, health)
- CCTV images
- photographs; video recordings (i.e. high quality teaching videos and online content)
- contract information (i.e. start dates, hours worked, post, roles and salary information)
- work absence information (i.e. number of absences and reasons)
- performance (i.e. capability and disciplinary matters)
- qualifications
- recruitment information
- information relevant to school workforce census and absence information
- relevant medical information
- remuneration information (i.e. pension membership, bank information)

### **The lawful basis on which we process this information**

- Article 6 1(b) of the GDPR which allows processing that is necessary for the performance of a contract
- Article 6 1(c) of the GDPR which allows processing that is necessary to comply with a legal obligation
- Article 6 1(e) of the GDPR which allows processing that is carried out in the public interest
- Article 6 1(f) of the GDPR which allows processing that is necessary for the purposes of a legitimate
- interest
- Article 9 2(b) of the GDPR which allows the processing of special category data that is necessary for
- carrying out obligations in the fields of employment and social security and social protection law
- Article 9 2(g) of the GDPR which allows the processing of special category data that is necessary for
- reasons of substantial public interest
- Article 9 2(j) of the GDPR which allows the processing of special category data when it is necessary for
- archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

Ebor Academy Trust maintains Records of Processing that identify the lawful basis on which personal information is processed.

### **Collecting workforce information**

We collect personal information via HR recruitment, staffing, training and payroll systems. Workforce data is essential for the Trust'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 and we will tell you what you need to do if you do not want to share this information with us.

### **Storing workforce information**

Personal data is stored in line with our Records Management and Data Protection Policies. In accordance with data protection legislation, it is only retained for as long as necessary to fulfil the purposes for which it was obtained, and not kept indefinitely.

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

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 information with the following:

#### Local Authority

- Department for Education (DfE)
- Education Skills Funding Agency
- Ofsted
- HMRC
- Benefits agencies (e.g. Dept. for Work & Pensions)
- Police and courts
- Social Services
- Payroll providers
- Teachers' Pension Scheme
- Local Government Pension Scheme
- Occupational health and wellbeing providers
- Management Information Systems (e.g. CPOMs Safeguarding and Parago accident reporting systems)
- Text and Email communication systems (e.g. Google, Parentmail, Parenthub)
- Cashless payment systems
- Catering Providers
- IT Contractors
- Recruitment Service Providers
- Print Management Software providers
- Providers of visitor management and access control systems
- Residential trip organisers and insurers
- Educational trip management system (i.e. Evolve)
- Providers of online learning resources
- Providers of financial management software
- Photography and design agencies

### **What are your rights?**

As the data subject, you have specific rights in relation to the processing of your data. You have a legal right to:

- Request access to the personal data that Ebor Academy Trust hold
- Request that your personal data is amended if it is inaccurate or incomplete
- Request that your personal data is erased where there is no legal basis for its continued processing
- Request that the processing of your personal data is restricted
- Object to your personal data being processed if it is likely to cause, or is causing, damage or distress

Requests must be submitted to the Data Protection Officer (on the contact details provided). Ebor Academy Trust will consider all requests in line with your legal rights and our legal obligations.

Where the processing of your data is based on your explicit consent, you have the right to withdraw your consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent. If you have a concern about the way we are collecting or using your personal data, you should raise your concern with the Data Protection Officer in the first instance or directly to the Information Commissioner's Office a <https://ico.org.uk/concerns>

### **How the government uses your data**

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

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

- informs departmental policy in pay and the monitoring of the effectiveness and diversity of the school workforce;
- links to school funding and expenditure; and
- supports “longer term” research and monitoring of educational policy

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/school-censuses-and-slasc>

The Department 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 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.

If you want to see the personal information held about you by the DfE, you should make a “subject access request”. Further information on how to do this can be found within the DfE's personal information charter that is published at the following address:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter> You may contact the DfE with any queries, by visiting: <https://www.gov.uk/contact-dfe>

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

Under the terms of the Data Protection Act 2018, 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>

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated *March 2021*.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: *Ebor Academy Trust Data Protection Officer (DPO) via [dpo@ebor.academy](mailto:dpo@ebor.academy)*