North East Learning Trust

Privacy Notice (How we use workforce information)

This notice is aimed at all staff employed by the North East Learning Trust (NELT), anyone who is undertaking work on behalf of the Trust and job applicants where we are required to hold their personal information.

The categories of information that we collect, hold and/or share but are not limited to:

- Personal information (such as name, employee or teacher number, national insurance number, address, bank details).
- Special categories of data including characteristics information (such as gender, age, ethnic group).
- Recruitment documentation and process (including references and qualifications).
- Contract information (such as start dates, hours worked, post, roles, payroll, and salary information).
- Liaison with relevant third parties (such as HMRC, Pensions (LGPS & TPA), statutory returns, DBS, relevant professional bodies.
- Work absence information (such as number of absences and reasons, maternity, paternity and other leave of absence information).
- Qualifications (and, where relevant, subjects taught).
- Performance management data (including appraisal/observation records, attendance management, disciplinary and capability).
- Training.
- Health and/or medical information.

Why we collect and use workforce information

- Enable the development of a comprehensive picture of the workforce and how it is deployed.
- Inform the development of recruitment and retention policies.
- Enable individuals to be paid.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- Support effective performance management.
- Provide access to third party solutions to dispense your professional duties
- Inform our recruitment and retention policies.
- Allow better financial modelling and planning.
- Enable ethnicity and disability monitoring.
- Improve the management of workforce data across the sector.
- Support the work of the School Teachers' Review Body.
- To prevent, detect and prosecute fraud and other crime.

The lawful basis on which we use workforce information

We collect and use your information under the Data Protection Act 2018 (sometimes referred to as UKGDPR article 6, and article 9.

Special category data from article 9 is processed under condition (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purpose.

Collecting workforce information

Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

We collect information about you in the following ways:

- Application forms.
- Paper forms.
- Online information.
- Communication with you (telephone, in person, written).
- Information received from a third party (e.g., your manager, referees, other government agencies).

Workforce data is essential for the Trust, Academy and/or Local Authority use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis.

When we collect special category personal information, we rely on one of the following:

Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law.

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.

Storing workforce information

We hold your data if it is lawful for us to do so in accordance with retention guidance taken from the DFE recommended source which is the IRMS toolkit and confirmed in the Trust's Data Retention Policy. Should a document not be listed in the policy then the Trust and/or the Academy will keep a record of why this data is being retained and will produce upon request.

Any data that we are no longer required to hold lawfully is deleted/destroyed in accordance with the Trust's Data Retention Policy.

Who we share workforce information with

We routinely share information with:

- Our local authority.
- The Department for Education (DfE)
- HMRC
- DBS
- Pension Authorities

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 children and young people with the Department for Education (DfE) for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred to the DFE securely and held by the DFE under a combination of software and hardware controls which meet the current government security policy framework. Security policy framework: protecting government assets - GOV.UK (www.gov.uk)

Why we share workforce information

We do not share information about our workforce members with anyone without consent unless the law and our polices allow us to do so.

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) 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:

- 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 the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you are 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

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

Requesting access to your personal data (Subject Access Request)

Under data protection legislation, you have the right to request access to information about yourself that we hold.

The Academy have 30 calendar days to respond to a subject access request.

To make a request please contact the Academy or Trust DPO.

You also have the right to the following

- to ask us for access to information about you that we hold.
- to have your personal data rectified if it is inaccurate or incomplete.
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- to restrict our processing of your personal data (i.e., permitting its storage but no further processing).
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

Alternatively, you can contact 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.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind or are unhappy with the way, we use your personal data then please contact the Academy or Trust DPO.

Contact

If you would like to discuss anything in this privacy notice, please contact the Academy who will contact the Trust's Data Protection Officer.