

Maiden Erlegh Trust
PRIVACY NOTICE FOR STAFF



MAIDEN ERLEGH
TRUST

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Statement

This document provides insight into how information about trust staff is used in our trust, including supply teachers, volunteers, and job applicants. For job applicants and volunteers, information will only be collected where it is relevant to their role.

The categories of trust workforce

The categories of Trust workforce information that we collect, process, hold and share include:

- Personal information (such as name, DOB, employee or teacher number, national insurance number, contact details, payroll/banking details for paid staff, DBS checks)
- Special categories of data including characteristics information such as gender, age, ethnic group, trade union membership (only where deductions are made directly from the payroll system)
- Contract information (such as start dates, 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
- Information relating to the use of remote communication and meeting tools – this may include audio/video recordings of meetings
- CCTV images
- Information relating to the performance of paid staff
- Declarations about suitability to work relating to the Childcare (Disqualification) Regulations
- Images during work-related activities

Why we collect and use this information

We use trust workforce data to:

- Enable individuals to be paid and inform HMRC and pensions administrators
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Provide information for emergencies
- Conduct staff appraisals
- Promote the work of the schools, Trust and Teaching School.

The lawful basis on which we process this information

We process this information in order to comply with the Education Act 1996 and under the UK General Data Protection Regulation (UK GDPR). The lawful basis we rely on for processing personal information is:

- 6.1(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 6.1 (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(See <https://www.legislation.gov.uk/eur/2016/679/article/6>)

In addition, for 'special categories' of data:

- 9.2(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where domestic law provides that the prohibition referred to in paragraph 9.1 may not be lifted by the data subject;
- 9.2(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by domestic law or a collective agreement pursuant to domestic law providing for appropriate safeguards for the fundamental rights and the interests of the data subject; (See <https://www.legislation.gov.uk/eur/2016/679/article/9>)

See also: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain trust workforce information to us or if you have a choice. Where we are processing your personal data with your consent, you have the right to withdraw that consent. We collect personal information via the application forms you completed when you applied for your role within the Trust and from other appropriate methods.

Storing this information

We hold trust workforce data on local and cloud-based computer systems, as well as on paper. There are strict controls on who can see your information. Appropriate security arrangements are in place and there are strict controls on who can see your information. Arrangements for the safe use of data are set out in our policy.

We will hold data for as long as necessary in line with our retention schedule, after which the information will be securely destroyed.

We routinely share this information with:

- our payroll provider
- our Local Authority
- the Department for Education (DfE)
- our Academy Trust
- our occupational health provider

Why we share trust workforce information

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

Department for Education (DfE)

We share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to trust funding / expenditure and the assessment 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 Trust Workforce) (England) Regulations 2007 and amendments.

Payroll provider

Your data will be held by our payroll provider to enable us to process payments to you.

Data collection requirements

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

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-trusts>.

The DfE may share information about trust employees with third parties who promote the education or well-being of children or the effective deployment of trust 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 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 trust 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.

For more information about the DfE data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact the trust using the details at the end of this document and referring to the information on the website.

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

If you would like more information about the information that the Local Authority holds about you, please contact: Data Protection Officer at the appropriate Local Authority.

Updates to this privacy notice

We may need to update this privacy notice periodically, but we will ensure that staff always have access to the latest version.

Further information

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

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell