



## Employee Privacy Notice

**Data controller: St Bede C of E Primary Multi Academy Trust (MAT) / St Bede's Childcare Limited**

The organisation collects and processes personal data relating to its employees to manage the employment relationship. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

**The categories of employee information that we collect, process, hold and share include:**

- Your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about any criminal records;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

## **Why we collect and use this information**

The organisation has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Processing employee data allows the organisation to:

- run recruitment and promotion processes;
- 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;
- 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;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- 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 that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR, Payroll and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims and
- maintain and promote equality in the workplace

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

We collect and process employee information under the following lawfulness of processing personal data

- Article 6a – Consent to processing data for one or more specific purpose
- Article 6c - Compliance with legal obligations, which the controller is subject to
- Article 6d – in order to protect the vital interests of the data subject or of a natural living person
- We also collect and process data under Article 9 – Processing of special categories of personal data
  - Where we have explicit consent
  - To protect vital interests of the data subject

## **Collecting this information**

The organisation may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the organisation may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

## **Storing this information**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment. The staff files are kept securely within a locked cupboard in the HR Office. You are able to have access to your file at any time to ensure that all information about you is up to date. Staff personnel files are also kept electronically on a secure network drive in accordance with the Access Control Policy.

Staff employee information is also stored on the Sage Payroll application. Access to Sage Payroll is in accordance with the Access Control Policy.

Staff attendance / absence data is stored on Sage Payroll and Bromcom. Access to these systems are in accordance with the Access Control Policy.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our retention policy.

## **Who we share this information with?**

The organisation shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

The organisation also shares your data with third parties that process data on its behalf, in connection with HR, payroll, the provision of benefits and the provision of occupational health services and in the case of any legal obligation for example safeguarding.

The organisation will not transfer your data to countries outside the European Economic Area.

## **Why we share employee information**

We do not share information about workforce members with anyone 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:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education- to meet our legal obligations to share information linked to performance data.
- Your family or representatives- to carry out our public task in the event of an emergency
- Other staff members- to carry out our public tasks, for example having access to your school email address so that information can be shared effectively
- Our regulator Ofsted, in order to comply with our public task
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Central and local government to complete the legal obligation for things such as the workforce census
- Auditors- coming under a legal obligation
- Survey and research organisations- to meet our legal obligation in relation to ‘freedom of information’ requests
- Trade unions and associations- to carry out our public task in light of any key discussions within school linked to disciplinary/capability procedures or for events such as redundancy.
- Security organisations- in order to keep our school secure and under the lawful basis of public task, we pass on certain staff member information so that they can be contacted if necessary (such as the caretaker).
- Health and social welfare organisations to carry out our public task in line with our attendance management policy with organisations such as occupational health
- Police forces, courts, tribunals- to meet our legal obligations to share certain information with it, such as safeguarding concerns or to carry out our public task in relation to a tribunal.
- Employment and recruitment agencies- to meet the public task of supplying requested references.
- The governors- to carry out our public task within the school and remain accountable to them for finance and personnel issues.

### **Local authority [for use by school employees only]**

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)**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

## **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that 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 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.

## **How does the organisation protect data?**

The organisation takes the security of your data seriously. The organisation has internal controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the organisation engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## 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, contact St Bede C of E Primary MAT / St Bede's Childcare Limited.

You 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
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>