

# PRIVACY NOTICE - EMPLOYEES

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**Status:** Statutory



<b>Document Type</b>	Privacy Notice - Employees			
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<b>Summary</b>	Under data protection law, individuals have a right to be informed about how the Academy and City Learning Trust uses any personal data held about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.			
<b>Associated Documents</b>				
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## VERSION CONTROL

Version No:	Type of change	Date	Revisions from previous version
1.0	Annual review	Sept 2020	
2.0	Annual review	Sept 2021	Terminology updated to read UK Data Protection Law where necessary 3.b.8.xiii - added 4.2.a.vii - added

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## 1. STATUS

- a. Statutory.

## 2. INTRODUCTION

- a. Under data protection law, individuals have a right to be informed about how the Academy and City Learning Trust uses any personal data held about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.
- b. This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our school.
- c. We, The City Learning Trust, High Lane, Burslem, Stoke on Trent, ST6 7AB is the 'data controller' for the purposes of UK data protection law.
- d. Our Data Protection Officer is Joanne Shaw (see 'Contact us' below).
- e. The Academy Headteacher/Principal acts as the representative of the data controller, in their Academy, on a day-to-day basis.

## 3. THE PERSONAL DATA WE HOLD

- a. We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:
  - i. Contact details (address, telephone numbers, email address)
  - ii. Date of birth, marital status and gender
  - iii. Next of kin and their emergency contact numbers
  - iv. Salary, annual leave, pension and benefits information
  - v. Teacher number (where necessary)
  - vi. Bank account details, payroll records, National Insurance number and tax status information
  - vii. Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process.
  - viii. Documentation need for identification checks: eg passport, utility bill and photograph ID
  - ix. Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
  - x. Data about your use of the Academy's information and communications system
  - xi. Business and pecuniary interests
  - xii. Accidents at work
  - xiii. Performance information
  - xiv. Outcomes of any disciplinary and/or grievance procedures
  - xv. Absence data
  - xvi. Copy of driving licence
  - xvii. Vehicle details
  - xviii. Photograph and CCTV footage
- b. We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):
  - i. Race, ethnicity, religious beliefs
  - ii. Trade union membership
  - iii. Health, including any medical conditions, and sickness/attendance records
  - iv. Fingerprints (biometric data)
  - v. Photographs and CCTV images captured in school

- c. We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.
- d. We may also hold data about you that we have received from other organisations, including other schools, and social services, and the Disclosure and Barring Service in respect of criminal offence data, Local Authorities and the Department for Education.

### **3.2 Why We Use This Data**

- a. The purpose of processing this data is to help us run the Academy, including to:
  - i. Enable you to be paid
  - ii. Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
  - iii. Support effective performance management
  - iv. Inform our recruitment and retention policies
  - v. Allow better financial modelling and planning
  - vi. Enable ethnicity and disability monitoring
  - vii. Improve the management of workforce data across the sector
  - viii. Support the work of the School Teachers' Review Body
  - ix. Maintain a secure and safe working environment

### **3.3 Use Of Personal Data In Automated Decision Making And Profiling**

- a. We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object.

### **3.4 Our Lawful Basis For Using This Data**

- a. We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:
  - i. Fulfil a contract we have entered into with you
  - ii. Comply with a legal obligation
  - iii. Carry out a task in the public interest
- b. Less commonly, we may also use personal information about you where:
  - i. You have given us consent to use it in a certain way
  - ii. We need to protect your vital interests (or someone else's interests)
  - iii. We have legitimate interests in processing the data – for example, where we monitor electronically staff's arrival and departure to and from the Academy
- c. Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.
- d. Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### **3.5 Our Basis For Using Special Category Data**

- a. For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:
  - i. We have obtained your explicit consent to use your personal data in a certain way
  - ii. We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
  - iii. We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
  - iv. The data concerned has already been made manifestly public by you
  - v. We need to process it for the establishment, exercise or defence of legal claims
  - vi. We need to process it for reasons of substantial public interest as defined in legislation

- vii. We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- viii. We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- ix. We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest
- b. For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:
  - i. We have obtained your consent to use it in a specific way
  - ii. We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
  - iii. The data concerned has already been made manifestly public by you
  - iv. We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
  - v. We need to process it for reasons of substantial public interest as defined in legislation

### **3.6 Collecting This Information**

- a. While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.
- b. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.
- c. Most of the data we hold about you will come from you, but we may also hold data about you from:
  - i. Local Authorities
  - ii. Government departments or agencies
  - iii. Police forces, courts, tribunals
  - iv. Previous employer

### **3.7 How We Store This Data**

- a. 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.
- b. Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Records Management Policy.
- c. You can obtain a copy of the Records Management Policy from our website or by contacting the Academy Headteacher/Principal.

### **3.8 Data Sharing**

- a. We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.
- b. Where it is legally required, or necessary (and it complies with UK data protection law) we may share personal information about you with:
  - i. Our local authority – to meet our legal obligations to share certain information, such as safeguarding concerns and exclusions
  - ii. Government departments or agencies including the Department for Education to meet our legal obligation to share certain information
  - iii. Ofsted to meet our legal obligation under Section 5 and Section 8 of the Education Act 2005
  - iv. Suppliers and service providers – to enable them to provide the service we have contracted them for such as payroll
  - v. Security organisations to meet our legal obligation to ensure the safety and wellbeing in school
  - vi. Health authorities to meet our legal obligation to support the safety and wellbeing of a staff

- vii. Professional advisers and consultants to meet our legal obligation to ensure the safety and wellbeing of staff
- viii. Police forces, courts, tribunals to comply with the law
- ix. Emergency services – to assist in the event of a medical emergency
- x. Our auditors
- xi. Charities and voluntary organisations.
- xii. Survey and research organisations
- xiii. App or cloud server providers and online learning platforms provider.

### **3.9 Transferring Data Internationally**

- a. Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **4. YOUR RIGHTS**

### **4.1 How to access personal information we hold about you**

- a. Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust and the Academy holds about you.
- b. If you make a subject access request, and if we do hold information about you, we will:
  - i. Give you a description of it
  - ii. Tell you why we are holding and processing it, and how long we will keep it for
  - iii. Explain where we got it from, if not from you
  - iv. Tell you who it has been, or will be, shared with
  - v. Let you know whether any automated decision-making is being applied to the data, and any consequences of this
  - vi. Give you a copy of the information in an intelligible form
- c. You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.
- d. If you would like to make a request, please contact our Data Protection Officer.

### **4.2 Your other rights regarding your data**

- a. Under UK data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:
  - i. Object to the use of your personal data if it would cause, or is causing, damage or distress
  - ii. Prevent your data being used to send direct marketing
  - iii. In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
  - iv. Claim compensation for damages caused by a breach of the UK data protection regulations
  - v. In certain circumstances be notified of a data breach.
  - vi. Make a complaint to the Information Commissioner's Office
  - vii. Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for specific purpose.
- b. To exercise any of these rights, please contact our Data Protection Officer.

## **5. COMPLAINTS**

- a. We take any complaints about our collection and use of personal information very seriously.
- b. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.
- c. To make a complaint, please contact our data protection officer.
- d. Alternatively, you can make a complaint to the Information Commissioner's Office:
  - i. Report a concern online at <https://ico.org.uk/concerns/>
  - ii. Call 0303 123 1113

iii. Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 6. CONTACT US

- a. If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

Joanne Shaw  
City Learning Trust  
High Lane  
Burslem  
Stoke on Trent  
ST6 7AB

**Tel No:** 07940 514736

**Email:** [jshaw@citylearningtrust.org](mailto:jshaw@citylearningtrust.org)