

**KINGSWAY
COMMUNITY TRUST**

**PRIVACY NOTICE FOR
STAFF**

Privacy Notice for Staff – How we use school workforce information

Kingsway Community Trust is the Data Controller for the purposes of the Data Protection Act 2018.

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

Personal Information	Name, date of birth, gender, address, email address, telephone number National Insurance number Employee or teacher number Medical conditions
Characteristics	Ethnicity, language, nationality, country of birth
Attendance Information	Sessions attended, number of absences, reasons for absence
Employment / Recruitment / Contract Information	References Self-Disclosure forms DBS checks Verification of the right to work in the UK Start dates Hours worked Post / roles Salary information P45 forms Pensions information
Other	Appraisal / Performance Management notes and reports Qualifications DBS evidence Disciplinary information Grievances CCTV imaging Staff Photographs

This list is not exhaustive.

Why we collect and use this information

We use school workforce data for:

- Contractual requirements
- Employment checks, e.g. DBS, right to work in the UK
- Salary requirements
- Performance Management
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies
- Monitoring attendance for payroll purposes
- Signing in and out of the building for health and safety reasons
- Staff boards in school
- Staff information on school websites

The lawful basis on which we process this information

We process this information under the Data Protection Act 2018.

Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- (6a) Consent: employees and others who work in the school have given clear consent for us to process their personal data for the purposes indicated above.
- (6c) A Legal obligation: the processing is necessary for us to comply with the law.
- (6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. we are required to have evidence that staff have DBS clearance).
- (6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The lawful bases for processing personal data are set out in Article 6 of the UK General Data Protection Regulation.

Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. Kingsway Community Trust will work within the conditions of GDPR - Article 9 of the UK GDPR:

- (9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include staff dietary requirements, and health information we receive from our staff who require a reasonable adjustment to access our site and services.
- (9.2b) 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 Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.
- (9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a member of staff in a medical emergency.
- (9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.
- (9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.
- (9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the UK GDPR.

Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

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 school workforce information to us or if you have a choice in this.

Storing this information

We keep information about you on computer systems and also sometimes on paper. This information is securely stored with rigorous encryption, password and permission levels for information store electronically and with restricted access to secure storage facilities for paper based information. We hold school workforce data for the appropriate length of time according to the type of information it is, after which, it is securely disposed of.

We routinely share this information with:

- Our local authority (if this relates to a safeguarding issue)
- The department for Education (DfE)
- One Education – our HR & Payroll provider

Why we share school 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.

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.

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

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

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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.

For more information about the department’s data sharing process, please visit:

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

To contact the department: <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 use the link below. This request will then be actioned by our Data Protection Officer.

<https://www.globalpolicing.co.uk/data/>

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

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

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)

- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact your Head of School.

Complaints

We take any complaints about our collection and use of personal information very seriously. 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.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to 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

Further information

If you would like to discuss anything in this privacy notice, please contact your Head of School.

Kingsway Community Trust

Staff Privacy Notice

I (print name) have **read, understood fully, and consent to** Kingsway Community holding and processing my personal data as detailed in the Kingsway Community Trust Staff Privacy Notice.

I have been given the opportunity to ask any questions from EHT / Head of School.

Signed:

Date:

School: