

GDPR PRIVACY NOTICE Workforce

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1. Introduction

Under data protection law, individuals have a right to be informed about how The Redhill Academy Trust uses any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, use and store the data relating to individuals who we employ or who otherwise engage in work with the Redhill Academy Trust.

For the avoidance of doubt, where the word 'Trust' is used, this also refers to individual academies within it.

We, The Redhill Academy Trust, whose registered address is Redhill Road, Arnold, Nottingham, NG5 8GX, telephone (0115) 9261481, are the 'data controller' for the purposes of data protection law. The Data Protection Officer is Linda Hayes, who can be contacted via DPO@theredhillacademytrust.org.uk or on 07831280405.

2. The personal data we collect and hold

We collect personal information via, for example, application and contract forms. Workforce data is essential for the academy's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. 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 in this.

The personal data the Trust will collect from the workforce includes, but is not restricted to:

- personal information (such as contact details, national insurance number, bank account details, employee or teacher number)
- Next of kin and emergency contact numbers.
- Contract information (such as start dates, hours worked, post, roles and responsibilities and salary information)
- References
- Qualifications and where relevant, subjects taught
- Pre-employment information (such as education history, evidence of all identification and other necessary pre-employment requirements, including copies of right to work documentation.)
- Performance data
- Information about your use of our information and communication systems, equipment, and facilities (e.g. school computers).

- Special categories of data including characteristics information such as gender, age, ethnic group, trade union membership, work absence information (such as the number of absences and reasons for them) etc
- Photography and CCTV footage captured in school/on site or as required for identification purposes.
- Copy of driving licence and other evidence of identification.

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

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 Services in respect of criminal offence data.

3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Support effective performance management
- d) Inform our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body
- i) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely.

3.1 Use of your personal data for marketing purposes

Where you have given consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any staff members' 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 to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in any of our trust's schools, we may monitor your use of our information and communication systems, equipment, and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access and prevent malicious software from harming our network(s).

4. Our lawful basis for using this data

The Redhill Academy Trust has the legal right and a legitimate interest to collect and process personal data relating to those employed to work at the academy, or those otherwise contracted to work at the academy, such as volunteers, trainees or governors. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's Legal Framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009
- Education Act 1996
- Keeping Children Safe in Education

Staff members' personal data is also collected and processed for employment purposes to assist in the running of the academy, and to enable individuals to be paid, as detailed within Articles 6 and 9 of UK GDPR.

If staff members fail to provide their personal data, there may be significant consequences, which may include the following:

- failure to provide bank details would result in the inability to make salary payment to staff

- failure to provide personal details would result in inability to provide availability to workplace pension schemes
- failure to provide evidence of the eligibility to work with students would result in the inability to be employed within the Trust
- failure to provide evidence of Right to work in the UK, employees found to be working illegally could face prosecution, as could the employer
- failure to provide accurate tax codes and /or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax
- failure to provide emergency contact details would deny the employer provision of duty of care
- failure to provide absence data may result in reduced welfare support.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- 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
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- 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
- 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
- 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

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:

- We have obtained your consent to use it in a specific way
- 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
- The data concerned has already been made manifestly public by you
- 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
- We need to process it for reasons of substantial public interest as defined in legislation.

5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts or tribunals
- Former employers
- Pension Authorities
- Employers GP
- Disclosure and Barring Service

6. How we store this data

We keep personal information about you while you work in our trust. We may also keep it beyond your employment in our trust if this is necessary. Our Data Management Policy and Retention Schedule sets out how long we keep information about staff, a copy of which is published on the trust and academy websites.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. How is information shared?

The Redhill Academy Trust will not share information about its workforce members with any third parties without their consent unless the law and our policies allow the Trust to do so.

Where it is legally required, or necessary (and it complies with the UK Data Protection Law), we may share personal information about you with:

- External Payroll provider
- Our regulator, Ofsted
- Our auditors
- HMRC
- Workplace Pension Providers
- Occupational Health Partner
- Disclosure and Barring Service Partners
- Foreign Office
- Police forces, courts, and tribunals
- The Department for Education (DfE)
- Legal Advisors and consultants
- Our Local Authority
- Safeguarding and protection for children and vulnerable adults
- Insurance providers
- Health and social welfare professionals

When sharing information with the DfE, it is transferred securely and held by them under a combination of software and hardware controls which meet current Government Security Policy Framework.

8. Your Rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- 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
- Tell you who it has been, or will be, shared with
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact the Operations Manager at the academy where you worked or contact the DPO at the trust (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaint about our collection and use of personal information very seriously. If you think that the collection or use of personal information is unfair, misleading, or inappropriate, or have any other concern about our data processing

procedures, please raise this with us in the first instance by contacting the Trust 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

10. Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in November 2024.

11. How can you find out more information?

If you require further information about how we store and use your personal data, please visit our website www.redhillacademytrust.org; the Gov.UK website, the ICO website or download our GDPR Data Protection Policy and Records Management Policy.

12. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Linda Hayes Tel: 07831280405 Email: DPO@redhillacademytrust.org.uk

The **data protection lead** within your academy has the day-to-day responsibility for data protection issues within our school.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them:

Eva Burton – 01246276831 info@hunlokepark.derbyshire.sch.uk

13. 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're 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>