

## APPENDIX 7 – PRIVACY NOTICES: HOW WE USE SCHOOL WORKFORCE INFORMATION

This notice explains what personal data (information) we hold about you, how we collect it and how we use and may share information about you. We are required to give you this information under data protection law.

As an employer, the Trust collects and processes your personal data for employment and application for employment purposes. We will process your personal data in accordance with the General Data Protection Regulations and other relevant legislation, and not disclose your personal data to any other third party, unless allowed or required to do so under the relevant legislation.

### **Who are we?**

Delta Academies Trust collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws. Our Data Protection Officer can be contacted via [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk).

### **The categories of school information that we collect and process include:**

In the course of employing staff in our organisation we collect the following personal information when you provide it to us:

- Personal information (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, 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

This list is not exhaustive. If you have queries or would like further information about the categories of data we process, please contact [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk).

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

We use workforce data to:

- enable individuals to be paid;
- support pension payments and calculations;
- enable sickness monitoring;

- enable leave payments (such as sick pay and maternity leave);
- develop a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- inform financial audits of the organisation or individual academies;
- fulfil our duty of care towards our staff;
- inform national workforce policy monitoring and development

### **How long your personal data will be kept**

We will hold information relating to you only for as long as necessary. How long we need to keep to any information will depend on the type of information. If you would like more information about how long we keep information, please ask for a copy of our Personal Data Retention Policy at your school or email [dpo@deltatrust.org.uk](mailto:dpo@deltatrust.org.uk). When we no longer need to retain information, we will destroy or delete it in a secure manner.

### **Reasons we can collect and use your personal information**

We rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment).

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

**Processing basis 1:** Processing is necessary in order to meet our duties as an employer (**Article 6 1 c** compliance with a legal obligation and **Article 9 2 b** carrying out obligations and exercising specific rights in relation to employment).

**Processing basis 2:** Processing necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (**Article 6 1 b** re contract of employment or for the provision of a service to commercial client).

**Processing basis 3:** the data subject has given consent to the processing of his or her personal data for one or more specific purposes (**Article 6 1 a and 9 2 a**).

We are required to share information about our workforce members under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

### **Who we share your personal information with**

- HM Revenue and Customs
- Pension Schemes

- Healthcare, social and welfare professionals and organisations
- The Disclosure and Barring Service
- Central Government Departments
- Educators and Examining bodies
- Professional Bodies
- Law enforcement agencies and bodies
- Courts and Tribunals
- Legal representatives
- Ombudsman and Regulatory bodies
- Service providers
- Trade Unions

With your explicit consent, we will share information with:

- Credit Reference Agencies;
- Mortgage Providers, Housing Associations and landlords.

To support TUPE arrangements the minimum necessary personal data and special categories of personal data will only be passed to the new employer.

We will share personal information with law enforcement or other authorities if required by applicable law, for example in relation to the prevention and detection of crime, counter terrorism, safeguarding, legal proceedings or to protect interests of you or another.

The Department for Education (DfE) collects and processes personal data relating to those who 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 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.

### **Collecting workforce information**

We collect personal information via applications, new starter forms, contracts, change of personal details forms and by data collection forms as and when required which would be signed by the employee.

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 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. You can withdraw your consent for the processing of your personal data at any time if that processing is on the sole basis of your consent (Processing basis 3).

### **Storing workforce information**

We hold data securely for the set amount of time shown in our data retention schedule. If you would like a copy of our data retention schedule, please contact [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk).

### **Who we share workforce information with:**

We routinely share this information with the DfE.

### **Why we share school workforce information**

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

### **Department for Education**

We are required to pass information about our school employees to the DfE under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

### **How Government uses your data**

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental 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 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**

The 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 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 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.

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

### **Your rights in relation to your information**

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 [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk).

You also have the right to:

- object to what we are doing with your information;
- have inaccurate or incomplete information about you amended;
- ask us to stop doing certain things with your information in some cases;
- ask that decisions about you are not made using automatic systems;
- claim against the school in certain circumstances where you have suffered as a result of the school breaching your data protection rights
- ask us to transfer your information to another organisation in a format that makes it easy for them to use.
- change your mind, if we have asked for your consent to use your personal data.

### **Concerns**

If you have any concerns about how we are using your personal data then we ask that you contact our Data Protection Officer in the first instance, via [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk). Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact: [DPO@deltatrust.org.uk](mailto:DPO@deltatrust.org.uk).