



Elm Tree Multi Academy Trust

Workforce Privacy Notice

Approval and Review

Effective from: September 2023

Approved by: Resources

Review leader: A Woodward, Chief Financial Officer

Review date: September 2027

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our workforce, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

Policy Statement

We are Elm Tree Multi Academy Trust. During an individual's time with us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period after they have left the school. Anything that we do with an individual's personal data is known as "processing".

Who are we?

Elm Tree Multi Academy Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Elm Tree Multi Academy Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZB569124.

You can contact the school as the Data Controller in writing at:

Elm Tree Multi Academy Trust, Sandy Lane, Blackdown, Leamington Spa, CV32 6RD or via email: dpo@northleamington.co.uk

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What information do we process in relation to our workforce?

We will collect, hold, share or otherwise use the following information about our workforce:

- personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details)
- contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records)
- qualifications / training courses attended and, where relevant, subjects taught
- performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- other information (such as pension arrangements and childcare schemes (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and images)

We will also use special categories of data such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, political opinions, trade union membership, information about health, genetic information and biometric data. These types of personal data are subject to additional requirements.

Where do we get information from about our workforce?

A lot of the information we have about our workforce comes from the individuals themselves such as application processes and new starter forms. However we may also obtain information from tax and regulatory authorities such as HMRC, Local Authorities, medical professionals, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publicly available resources including online sources. In addition, we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems, CCTV and access control systems, communications systems, remote access systems, email and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

Why do we use this information?

We will process the personal data of our workforce for the following reasons:

1. Where we are required by law, including:
 - To comply with the law regarding data sharing (see further below)

- To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS
 - To comply with legal requirements in relation to equalities and non-discrimination
2. Where we are required by any contract with our workforce, such as employment contracts, including:
- To make payments to our workforce, such as salary payments
 - To deduct tax and National Insurance contributions
 - To make a decision about recruitment
 - To check individuals are legally entitled to work in the UK
 - Administering employment contracts
 - Conducting performance reviews
 - Making decisions about salary and compensation
 - Liaising with pension providers
 - To enable other staff benefits to be administered
3. Where the law otherwise allows us to process the personal data, or we are carrying out a task in the public interest, including:
- To enable the development of a comprehensive picture of the workforce and how it is deployed
 - To inform the development of recruitment and retention policies
 - To safeguard our pupils and other individuals
 - To ensure safe working practices
 - In the interests of ensuring equal opportunities and treatment
4. To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

5. Where we otherwise have the consent of the individual

Whilst the majority of processing of personal data of our workforce will not require consent, we will inform individuals if their consent is required and seek that consent before any processing takes place.

Why do we use special category personal data?

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy.
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational medicine in order to assess, an individual's working capacity and/or the need for reasonable adjustments.
4. Where the processing is necessary in order to ensure your health and safety on the school site, including making reasonable adjustments for any disabilities you may have.
5. Where we otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

Failure to provide this information

If our workforce fail to provide information to us then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

How long will we hold information in relation to our workforce?

We will hold your personal data relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information. The school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of these schedules can be located using the following link

<http://irms.org.uk/page/SchoolsToolkit>

Who will we share information with about our workforce?

We routinely share information about our workforce with:

- The Department for Education and/or the ESFA in compliance with legal obligations of the school to provide information about our workforce as part of statutory data collections

- Contractors, such as payroll providers, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP regarding tax payments and benefits
- Payment processing providers to enable payments to be made by you to the school
- Potential employees as part of reference requests
- Communication providers to enable us to liaise with you directly about the school
- Our professional advisors and services including legal and HR consultants, insurance companies, training providers
- The Bank in order to process payments on your behalf
- External agencies such as police for the prevention of crime

On occasion, we may share information about our workforce with Local Authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes.

We do not share information about our staff unless the law and our policies allow us to do so.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The Department for Education may share information that we are required to provide to them with other organisations. For further information about the Department's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.

Contact details for the Department can be found at <https://www.gov.uk/contact-dfe>.

Local authorities may share information that we are required to provide to them with other organisations. For further information about Warwickshire County Council local authority's data sharing process, please visit: <https://www.warwickshire.gov.uk>

What do we do with your information?

All personal information is held in a manner, which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so.

Transferring data internationally

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.

Rights of our workforce in relation to their personal data

All of our workforce have the right to request access to personal data that we hold about them, subject to a number of exceptions. To make a request for access to your personal data, you should complete our [Subject Access Request Form](#) and send to the Data Protection Officer via email at dpo@northleamingtonschool.co.uk or alternatively by writing to:

The Data Protection Officer
Elm Tree Multi Academy Trust
Sandy Lane
Blackdown
Leamington Spa
Warwickshire
CV32 6RD

You also have the right, in certain circumstances, to:

- Object to the processing of their personal data
- Have inaccurate or incomplete personal data about them rectified
- Restrict processing of their personal data
- Object to the making of decisions about them taken by automated means
- Have your data transferred to another organisation
- Claim compensation for damage caused by a breach of their data protection rights
- If you want to exercise any of these rights, then you should contact the school's Data Protection Officer. The law does not oblige the school to comply with all requests. If the Academy does not intend to comply with the request, then you will be notified of the reasons why in writing.

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. However an individual can contact the Information Commissioner's Office should they consider this to be necessary, at <https://ico.org.uk/concerns/>.