



"Inspiring a love of lifelong learning"

Privacy Statement for the Academy workforce

Policy date: Autumn 2020

Review date: Autumn 2021

Learning at Charville is underpinned by our Core Values

Respect

Independence

Self-belief

Honesty

Caring

Determination

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HOW CHARVILLE ACADEMY USE SCHOOL WORKFORCE INFORMATION

1. The categories of school workforce information that we collect, process, hold, and share includes:

- personal information (such as title, name, address, telephone numbers, email address, employee or teacher number, national insurance number, bank account number)
- next of kin and emergency contact numbers
- special categories of personal data including characteristics information (such as sex, age, ethnic group, religious belief, and trade union membership)
- pre-employment and safeguarding checks (such as “Right to Work in the UK” information, DBS and Children’s Barred List outcome information, pre-placement medical questionnaire outcome information, employment references, overseas check outcome information, and Teacher Status Check outcome information)
- contract information (such as start dates, hours worked, post, roles, salary information, and continuous service dates, pay and conditions and associated benefits, pension information, any deductions for loans etc)
- work absence information (such as number and type of absences and reasons, and occupational health medical referrals and reports, medical appointments when declared, risk assessments when required)
- performance management, grievance, and conduct or disciplinary information, LADO referrals and outcomes [where applicable]
- safe-guarding information e.g. anything through MASH
- visa status and housing status (where appropriate)
- photographs and CCTV footage
- settlement and severance agreements, COT3 agreements, and claims to an Employment Tribunal or Employment Appeal Tribunal [where applicable]
- data about your use of the school’s information and communications systems
- qualifications (and, where relevant, subjects taught).

2. Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- to complete the census
- to comply with statutory guidelines for academies
- to use on the website
- manage recruitment processes and safer recruitment requirements
- enable individuals to be paid

- manage work absence and other performance management and conduct or disciplinary related activities in accordance with the Charville Academy's policies and procedures

3. The lawful basis on which we process this information

We process this information under:

- Article 6 (1)(b) of the General Data Protection Regulation (GDPR) as processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract
- Article 6(1)(c) of the GDPR as processing is necessary for us to comply with the law
- Article 6(1)(e) of the GDPR as processing is necessary for us to perform a task in the public interest or for our official functions, and this task or function is lawful
- Article 9(2)(b) of the GDPR as processing is necessary for the purposes of carrying out our obligations in relation to employment law
- Article 9(2)(h) of the GDPR as processing is necessary, where applicable, for the purposes of preventative or occupational medicine to assess the working capacity of the employee or to obtain a medical diagnosis.

4. Collecting this information

While the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. 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.

5. Storing this information

We hold school workforce data for seven (7) calendar years after your employment ceases or seven (7) financial years where required by law.

6. Whom we share this information with

We routinely share this information with:

- our local authority
- the Department for Education (DfE)
- The Schools HR Co-operative
- Governor Support Service
- SIMS for Schools
- Medigold Health
- Benenden and Employee Assistance Programme
- CPOMS – for safeguarding
- HMRC, Body for Work and Pensions and Housing information
- Turn it on
- Data plan

- EFSA and Companies House
- Our auditors
- Trade Unions
- Health authorities
- Health and social welfare organisations
- Health and safety representative
- Health and safety executive (for reporting RIDDORs)
- Professional advisers and consultants
- Police forces, courts, tribunals
- Your family or representatives
- Our regulator (OFSTED)

7. 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 also share information with HR co-operative and our pensions provider about our workforce members' continuous service to establish eligibility for long service awards, and information about governing body membership that will identify staff who are governors on the school's governing body (in accordance with section 30 of the Education Act 2002).

7.1 Department for Education (DfE)

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 of 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.

7.2 The Schools HR Co-operative ("Schools HR")

We share personal data, including special categories of personal data, with Schools HR for HR-related purposes, including:

- processing safer recruitment checks
- enabling you to be paid, and for pension contributions to be made to a pension scheme [where applicable]
- supporting work absence policies and procedures (including sickness absences)
- processing work absence cover scheme claims (maternity and jury service absences)
- managing your performance and conduct
- undertaking any grievance, disciplinary, whistle-blowing or related investigations
- advising on, and responding to, employment-related matters (including settlement agreements, COT3 agreements, and claims in the Employment Tribunal and Employment Appeal Tribunal) [where applicable].

7.3 Governor Support Service

We share personal data with the Governor Support Service for governing body membership reporting purposes, including:

- confirming personal information about staff who are governors on the school's governing body (e.g. staff governors or co-opted governors) to enable communication and governing body membership reporting
- providing details of governing body reports and other information (including full governing body and committee minutes and reports) that may include personal information about staff who are governors on the school's governing body.

7.4 SIMS for Schools

We share personal data, including special categories of personal data, with SIMS for Schools for SIMS database administration and technical support purposes, including:

- the administration of your workforce data
- ensuring you are paid the correct amount
- supporting the statutory return process (DfE censuses).

7.5 Medigold Health

We share personal data, including special categories of personal data, with Medigold Health for managing work absences and wellbeing support, including:

- assessing your fitness to work
- when required, referring you for an occupational health assessment or consultation
- supporting your attendance at work (including making any reasonable adjustments to support your return to work and/or ongoing attendance at work).

7.6 Wellbeing Solutions Management and Benenden

We share personal data with the above to provide you with a confidential employee assistance programme (EAP), and the benefits that Benenden offer including:

- confirming your eligibility to access the EAP online portal and telephone helpline
- offering you confidential counselling and advice.
- offering you the benefits that Benenden offer

Please note: This service is confidential and the academy does not know which individual employees access this service and for what purpose or reason.

7.7 Dataplan

We share personal data with the above to ensure that payments are completed appropriate:

- to enable you to be paid
- to ensure pension contributions are appropriate
- to ensure any deductions for loans are completed appropriately

7.8 CPOMS

We share personal data with the above to ensure that safeguarding and behaviour management within the school is robust:

- to ensure safeguarding for children and staff at school
- confirming your access to the information held on the platform

7.9 Turn it on

We share personal information with the above:

- To enable them to complete the job we have asked them to do
- To keep data safe within the school
- To enable to school to function well in terms of all ICT

7.10 We also share personal data with other organisations as appropriate. These include:

- **HMRC, Body for Work and Pensions and Housing information** - as part of our legal obligation to work as an academy
- **EFSA and Companies House**- as part of our legal obligation as an academy and to report accounts
- **Our auditors**- as part of our legal obligation as an academy and to ensure the academy is functioning appropriately
- **Trade unions**
- **Health authorities**
- **Health and social welfare organisations**
- **Health and safety representative** - to ensure your safety at work where appropriate e.g. risk assessments
- **Health and Safety Executive** - to follow health and safety protocol and to report RIDDORs as appropriate
- **Professional advisors and consultants**
- **Police forces, courts, tribunals** - as part of our legal obligation where appropriate
- **Your family or representatives** - to ensure your safety where appropriate
- **Our regulator (OFSTED)** - to ensure our legal obligation is met

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.

8. Data collection requirements

The Department for Education (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 DfE, including the data that we share with them, visit <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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 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 DfE's data sharing process please visit:

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

To contact the DfE please visit:

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

9. 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 contact Turn it on/ Mrs S Gemmill – dpo@charvilleacademy.org

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.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with Charville Academy in the first instance. Alternatively, you can contact the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/>

10. Further information

If you would like to discuss anything in this privacy notice, please contact:
Data Protection Lead – Mr M Wilkinson on dpo@charvilleacademy.org

Written by: The Data Protection Team

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