



HALES VALLEY TRUST

Privacy Notice

(How we use school workforce information)

April 2019

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Hales Valley Trust collects and processes personal data relating to its employees to manage the employment relationship. **Hales Valley Trust** is committed to being transparent about how it collects and uses the data and to meeting its data protection obligations. This privacy notice will inform you about why **Hales Valley Trust** collects and processes a range of information about you.

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

- Personal information (such as name, address and contact details, employee or teacher number, details of your bank, national insurance number, information about your marital status, next of kin, dependants and emergency contacts.)
- Special categories of data including characteristics information (such as gender, age, ethnic group) contract information (such as start dates, terms and conditions of your employment, hours worked, post, roles and salary information, information about entitlement to benefits such as pensions, information about your nationality and the entitlement to work in the UK.)
- Work absence information (such as number of absences and reasons.)
- Qualifications (such as skills, experience and employment history, where relevant, subjects taught.)
- Information about your criminal record.
- Details of any disciplinary or grievance procedures in which you have been involved (such as any warnings issued to you and related correspondence.)
- Assessments of your performance (such as appraisals, performance reviews and ratings, performance improvement plans and related correspondence.)
- Information about medical or health conditions (such as whether or not you have a disability for which the organisation needs to make reasonable adjustments.)

Hales Valley Trust collects this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessment.

In some cases, **Hales Valley Trust** may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

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.
- Enable individuals to be paid.
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights.
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the **Hales Valley Trust** complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- Ensure effective general HR and business administration.
- Provide references on request for current or former employees.
- Respond to and defend against legal claims.
- Maintain and promote equality in the workplace.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities).

The lawful basis on which we process this information

We process this information under the following General Data Protection Articles:

6.1(b) Processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

6.1(c) Processing is necessary for compliance with a legal obligation to which the controller is subject

For example: The Health and Safety at Work Act, Equality Act 2010, The Disability Discrimination Act.

6.1(e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

For example: The Education Act requires the collection of workforce data for the purpose of Departmental Census (Working together to Safeguard Children Guidelines) (DfE).

9.1(b) 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 the Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

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.

Workforce data is essential for the school's/local authority'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 data protection legislation, 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.

Storing this information

We hold school workforce data in line with the Trust Retention Policy. Data will be stored in a range of different places, including in your personnel file, in the organisation's HR management systems and in other IT systems (including the organisation's email system).

Who we share this information with

Your information may be shared internally, including with those people responsible for HR and recruitment (including payroll), senior staff who you report to or who have supervisory/management responsibilities for you and business support and IT staff if access to the data is necessary for performance of their roles.

Hales Valley Trust routinely shares this information with:

- Our local authority
- The Department for Education (DfE)
- Shaw Trust Services Ltd (Payroll services)
- FILIO (Appraisal and performance management tool)
- INTEGRIS (School management information system)
- Our Trust schools
- Invenry (Visitor, staff and pupil signing-in system)
- West Midlands Pension Fund
- Teachers' Pension Scheme
- uCheck (Government approved online DBS check tool)
- Browne Jacobson Solicitors
- ITrent (HR Software)
- PS Financials (Financial management software)

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.

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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 educational attainment.

We are required to share information about our school employees 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, contact Road, Your IG, Data Protection Officer, Dudley MBC at the address below and Ref Hales Valley Trust and your school.

YourIG Data Protection Officer Service
Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ

Email: information.governance@dudley.gov.uk **tel:** 01384 815607

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 us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

CCTV

This section of the privacy notice relates to our CCTV System, including, but not limited to, where it has been installed on the outside of some of our buildings.

What personal information does this service use?

The CCTV system captures images of people and vehicles in and around where a camera is located. Where fixed CCTV cameras are operating, there will be signs clearly displayed. Images captured by CCTV will not be kept for longer than 30 days. However, on occasions there may be a need to keep images for longer, for example where a crime is being investigated.

What is this personal information used for?

We use this personal data for the following reasons:

- a) To increase personal safety of pupils, staff and visitors, and reduce the fear of crime.
- b) To protect the school buildings and their assets.
- c) To support the Police in a bid to deter and detect crime.
- d) To assist in identifying, apprehending and potentially prosecuting offenders.
- e) To protect members of the public and private property.
- f) To assist in managing the school.

What is the lawful basis we are relying on?

We collect and use this information to ensure the school can undertake its remit to educate children ensuring personal safety of pupils, staff and visitors, protecting school buildings and its assets and to assist

in managing the school (Article 6(1)(e) of the General Data Protection Regulation). The school will use the 'Passport to Compliance', issued by the Surveillance Camera Commissioner to ensure that the surveillance camera system complies with the Guiding Principles set out in the Surveillance Camera Code of Practice published by the Home Office as a requirement of the Protection of Freedoms Act 2012.

Where has your personal information come from?

The images are captured because you are present in the area which is covered by the CCTV system.

Who will we share this personal information with?

Your personal data is shared securely with the following, where it is both necessary and appropriate to do so:

- Relevant staff within the school
- Our local authority
- The Police

Further information

If you would like to discuss anything in this privacy notice, please contact:

Chief Operations Officer, Hales Valley Multi Academy Trust C/O Woodside Primary School, Highgate Road, Dudley DY2 0SN

**YourIG Data Protection Officer Service
Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ
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