

GDPR privacy notice for the school workforce

Introduction

Public authorities including schools and academies are required to inform staff about how their personal data may be collected and used. Under the General Data Protection Regulation (GDPR) they are also required to explain how an individuals' personal data will be processed. Westminster Academy Trust (which incorporates Westminster Primary School) will do this by means of this privacy notice.

The school workforce

Who processes your information?

Westminster Academy Trust is the data controller of the personal information you provide to us. This means we determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed.

Mr Edward Wright is the data protection officer. His role is to oversee and monitor the school's data processing practices. He can be contacted on 0121 464 2369 or dpo@westmnst.bham.sch.uk

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the school places data protection requirements on third party processors to ensure data is processed in line staff members' privacy rights.

Why do we need your information?

Westminster Academy Trust has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at Westminster Primary School, or those otherwise contracted to work at the school. 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

Staff members' personal data is also processed to assist in the running of the school, and to enable individuals to be paid.

If staff members fail to provide their personal data, there may be significant consequences. This includes the following:

- **Employment checks:** An example would be failure to provide the school with ample proof of a right to work in the UK thus preventing employment with the organisation.

Employees found to be working illegally could face prosecution by law enforcement officers.

- **Salary requirements:** 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.
- **Emergency contact information:** Unable to contact next of kin in an emergency situation.

For which purposes are your personal data processed?

In accordance with the above, staff members' personal data is used for the following reasons:

- Contractual requirements
- Employment checks, e.g. right to work in the UK
- Salary requirements
- To comply with the law regarding data sharing
- To meet the statutory duties placed upon us for DfE data collections e.g. school workforce census
- To safeguard all stakeholders
- Absence monitoring

Which data is collected?

The personal data the school will collect from the school workforce includes the following:

- Name and address
- Date of birth, marital status, gender
- National insurance numbers
- Characteristics such as ethnic group
- Employment contracts
- Remuneration details
- Qualifications
- Absence information
- Recruitment information, including right to work documentation, references and other information needed for the application process.
- Performance information
- Outcomes of any disciplinary or grievance procedures
- Photographs
- CCTV footage taken on our site
- Data regarding your use of the Trust's information and communication technology
- Health, including medical conditions and sickness records

The collection of personal information will benefit both the DfE and LA by:

- Improving the management of workforce data across the sector.
- Enabling the development of a comprehensive picture of the workforce and how it is deployed.
- Informing the development of recruitment and retention policies.
- Allowing better financial modelling and planning.
- Enabling ethnicity and disability monitoring.
- Supporting the work of the school teachers' review body.

We are required to share information about our school employees to the DfE under section 5 of the Education (Supply of Information about the School workforce) (England) Regulations 2007 and amendments.

Will your personal data be sought from third parties?

Staff members' personal data is only sought from the data subject. No third parties will be contacted to obtain staff members' personal data without the data subject's consent.

How is your information shared?

Westminster Academy Trust will not share your personal information with any third parties without your consent, unless the law allows and our policies allow us to do so where it is legally required, or necessary (and it complies with data protection law). We may share personal information with:

- The Local Authority
- The DfE
- Your family or representatives
- Educators or examining bodies
- Our regulator, Ofsted
- Suppliers or service providers - to enable them to provide the service we have contracted them for such as payroll
- Financial organisations such as debt collection agencies
- Central and local government
- Our auditors
- Trade Unions and associations
- Health and social welfare organisations
- Police forces, courts and tribunals

How long is your data retained for?

Staff members' personal data is retained in line with Westminster Academy Trust's Records Management Policy.

Personal information may be retained for the following periods depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Records Management Policy.

What are your rights?

As the data subject, you have specific rights to the processing of your data.

You have a legal right to:

- Request access to the personal data that Westminster Academy Trust holds. Individuals have a right to make a Data Subject Access Request (DSAR) to gain access to personal information that the Trust holds about them.
- Request that your personal data is amended.
- Request that your personal data is erased.
- Request that the processing of your data is restricted.

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

If you would like to make a DSAR please contact our data protection officer in writing by emailing dpo@westmnst.bham.sch.uk

If you wish to make a complaint, in the first instance please contact the data protection officer, Mr Edward Wright, by emailing on dpo@westmnst.bham.sch.uk. Staff members also have the right to lodge a complaint with the Information Commissioner's Office (ICO) in relation to how Westminster Academy Trust processes their personal data. The ICO can be contacted by calling on 0303 123 1113.

How can you find out more information?

If you require further information about how we and/or the DfE store and use your personal data, please visit our website, www.westmnst.bham.sch.uk, the Gov.UK website, or download our GDPR Data Protection Policy and Records Management Policy.

Please see declaration overleaf which must be completed and returned to school as soon as possible

Declaration

I, _____, declare that I understand:

- Westminster Academy Trust has a legal and legitimate interest to collect and process my personal data in order to meet statutory and contractual requirements.
- There may be significant consequences if I fail to provide the personal data Westminster Academy Trust requires.
- Westminster Academy Trust may share my data with the DfE, and subsequently the LA.
- Westminster Academy Trust will not share my data to any other third parties without my consent, unless the law or the Trust's policies requires the school to do so.
- The nature and personal categories of this data, and where the personal data originates from, where my data is obtained from third parties.
- My data is retained in line with Westminster Academy Trust's Records Management Policy.
- My rights to the processing of my personal data.

Furthermore, I understand that as an employee of Westminster Academy Trust, I have an obligation to:

- inform the Data Protection Officer (DPO) of any Data Subject Access Request (DSAR) I receive (for example, from a parent) immediately;
- inform the Data Protection Officer (DPO) of any suspected data breach as soon as I become aware of it;
- adhere to the Trust's Data Protection / GDPR policy.

Name of staff member:

Signature of staff member:

Date:
