



## **GDPR PRIVACY NOTICE: WORKFORCE**

Under data protection law, individuals have a right to be informed about how The Redhill Academy Trust uses any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, use and store the data relating to individuals who we employ or who otherwise engage in work with the Redhill Academy Trust.

For the avoidance of doubt, where the word 'Trust' is used, this also refers to individual academies within it.

We, The Redhill Academy Trust, whose registered address is Redhill Road, Arnold, Nottingham, NG5 8GX, telephone (0115) 9261481, are the 'data controller/processor' for the purposes of data protection law. The Data Protection Officer is Linda Hayes, who can be contacted via [DPO@theredhillacademytrust.org.uk](mailto:DPO@theredhillacademytrust.org.uk) or on 07831280405.

### **The lawful basis on which we process this information**

The Redhill Academy Trust has the legal right and a legitimate interest to collect and process personal data relating to those employed to work at the academy, or those otherwise contracted to work at the academy, such as volunteers, trainees or governors. 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
- Education Act 1996
- Keeping Children Safe in Education

Staff members' personal data is also collected and processed for employment purposes to assist in the running of the academy, and to enable individuals to be paid, as detailed within Articles 6 and 9 of UK GDPR.

If staff members fail to provide their personal data, there may be significant consequences, which may include the following:

- failure to provide bank details would result in the inability to make salary payment to staff
- failure to provide personal details would result in inability to provide availability to workplace pension schemes

- failure to provide evidence of the eligibility to work with students would result in the inability to be employed within the Trust
- failure to provide evidence of Right to work in the UK, employees found to be working illegally could face prosecution, as could the employer
- 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
- failure to provide emergency contact details would deny the employer provision of duty of care
- failure to provide absence data may result in reduced welfare support.

## **How is 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
- statutory reporting purposes
- support employees in delivering the purpose of their work.

## **The personal data we collect and hold**

We collect personal information via, for example, application and contract forms. 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 UK 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.

The personal data the Trust will collect from the workforce includes, but is not restricted to:

- personal information (such as contact details, national insurance number, bank account details, employee or teacher number)
- Contract information (such as start dates, hours worked, post, roles and responsibilities and salary information)
- work absence information (such as the number of absences and reasons for them)
- References
- Qualifications and where relevant, subjects taught
- Pre-employment information (such as education history, evidence of all identification and other necessary pre-employment requirements)
- Performance data
- Special categories of data including characteristics information such as gender, age, ethnic group etc
- CCTV footage.

The collection of personal information will benefit both the DfE and the Trust 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

- supporting the work of the academy teachers' review body.
- enable individuals to be paid

## **Will personal data be sought from third parties?**

Staff members' personal data may be obtained and processed from third parties where the law requires the academy to do so, e.g., medical records from a GP. The categories of data obtained and processed from third parties include:

- medical records
- occupational Health
- positive Disclose (DBS)
- payroll
- pension Authorities

Where data is obtained from third parties, the personal data originates from the following sources:

- employers GP
- disclosure and Barring Service
- occupational Health Partner

## **How is information shared?**

The Redhill Academy Trust will not share information about its workforce members with any third parties without their consent, unless the law allows the Trust to do so.

The Trust is required, by law, to pass on some personal information to the Local Authority and Department for Education (under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments, and with other third parties which may include, but not be limited to:

- external Payroll provider
- HMRC
- workplace Pension Fund
- occupational Health Partner
- Disclosure and Barring Service Partners
- Foreign Office

When sharing information with the DfE, it is transferred securely and held by them under a combination of software and hardware controls which meet current Government Security Policy Framework.

## **How long is your personal data retained?**

A staff member's personal data is held securely for the set amount of time shown in our Data Retention Policy which is published on each Academy website, along with the website of the Redhill Academy Trust.

## **Your rights**

As the data subject, a member of the workforce has specific rights. These include the right to:

- request access to the personal data which the Trust holds about you, known as a Subject Access Request
- have your personal data rectified, if it is inaccurate or incomplete
- request that your personal data is amended or erased where there is no compelling reason for its continued processing
- request that the processing of your data is restricted (i.e. permitting its storage but no further processing)
- request that your personal data is collected using automated processing
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

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 consent being withdrawn. You can withdraw consent by contacting the Operations Manager at the Academy.

## Complaints

We take any complaint about our collection and use of personal information very seriously. If you think that the collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing procedures, please raise this with us in the first instance by contacting the Trust Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in November 2023.

## How can you find out more information?

If you require further information about how we store and use your personal data, please visit our website [www.redhillacademytrust.org](http://www.redhillacademytrust.org); the Gov.UK website, the ICO website or download our GDPR Data Protection Policy and Records Management Policy.

## How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) 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 Department for Education (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 (DfE)

The Department for Education (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 Department for Education (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 Department for Education (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.

## How to find out what personal information the Department for Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>