



Workforce Privacy Notice

This document is used in respect of all members of the school workforce engaged under a contract of employment (“Employee or Employees”, as the context requires) and volunteer governors, members of committees and trustees (“Volunteers”), together (the “Workforce”) and in relation to any processing of personal data about them. The document is communicated to them when they first start working with the Diocese of Salisbury Academy Trust (“the Trust”) or an academy as well as being made available on the Trust website, internally and externally.

Policy Statement

We are part of the Diocese of Salisbury 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 of time after they have left the Trust’s employment. Anything that we do with an individual’s personal data is known as “processing”.

This document sets out what personal data we will hold about our Workforce, why we process that data, who we share this information with, and the rights of individuals in relation to their personal data processed by us.

What information do we process in relation to our Workforce?

We will collect, hold, share or otherwise use the following information about our Workforce from which an individual can be identified:

- Personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details, where appropriate)
- In respect of Employees, contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- In respect of Employees, 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 (such as training record) if appropriate or the skills and experience held
- In respect of Employees, 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 all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the Trust, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the academy receives or provides to other organisations, CCTV footage and photographic images)

We will also use special categories of data including such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, political opinions, trade union membership, information about

any criminal records, fines or other similar judicial records, 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 employees themselves as part of the application and recruitment process. In addition, we may also obtain information from tax and regulatory authorities such as HMRC, 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 on our Workforce 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)
 - For Employees, 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
 - For Volunteers, in accordance with the legal basis of legal obligation for the Trust to comply with the statutory duties
 - To comply with legal requirements in relation to equalities and non-discrimination
2. Where we are required by any contract with our Employees, 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
 - Providing staff benefits

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. 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. It is noted that due to the imbalance of power in an Employee to employer relationship, it is generally thought that although consent may be implied it cannot truly be freely given. So, consent is not necessarily the most appropriate basis to rely upon as an employer. In respect of Volunteers, we accept that the majority of personal information is mandatory, some of it may be requested on a voluntary basis. In order to comply with the law, we will inform you at the point of collection, whether you are required to provide certain information to us or you have a choice to agree or refuse to do so.

Why do we use special category personal data?

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

1. In respect of Employees, 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. The religious beliefs of applicants wishing to be appointed as Foundation Governors or Trustees will be processed to assess their suitability
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.

Information about Criminal Convictions

We only use information relating to criminal convictions where the law allows us to do so, usually where processing is necessary to carry out our obligations and provided, we do so in accordance with our Data Protection Policy. It is envisaged that we will hold information about any criminal convictions

if this comes to light as a result of a DBS check when you are initially appointed to the Workforce or if information comes to light during your time as a member of the Workforce.

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 in respect of Employees, or we may be prevented from complying with our legal obligations, including in respect of Volunteers a statutory requirement to publish governance information under the Academies Financial Handbook

Change of Purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need it for another reason and that reason is compatible with the original purpose. If we wish to use it for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

We will hold information 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. For further detail please see the Trust's Retention and Destruction Policy.

Who will we share information with about our Workforce?

We routinely share information about our Workforce with:

- The Department for Education, in compliance with legal obligations of the Trust to provide information about our Workforce as part of statutory data collections and the requirements of the Academy Trust Handbook
- In respect of Employees, contractors, such as payroll providers, to enable them to provide an effective service to the Trust and government agencies such as HMRC and DWP regarding tax payments and benefits
- The Diocese of Salisbury, including the Salisbury Diocesan Board of Education
- The local authority in respect of training and other third-party services provided to the Trust or an individual academy
- Our insurance providers and the Risk Protection Arrangement
- Our professional advisors including legal and HR consultants

We require third parties to respect the security of your data and to treat it in accordance with the law and they should take appropriate security measures to protect your data and they are not permitted to use your personal data for their own purposes, but only in accordance with our instructions and in accordance with the law.

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>.

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. To make a request for access to their personal data, individuals should contact:

The school office in the first instance, or the Trust's Business Support Administrator

Please also refer to our Data Protection Policy for further details on making requests for access to Workforce information.

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

- Object to the processing of their personal data
- The right to withdraw consent to the collection, storage and processing and transfer of their personal information. This withdraw of consent is only possible if we are not complying with our legal or statutory obligation
- Have inaccurate or incomplete personal data about them rectified
- To request the deletion of personal information where there is no compelling reason to continue processing the information. There is an obligation on the individual member of the Workforce to inform us if the personal information changes whilst an Employee or a Volunteer
- Restrict processing of their personal data, whilst still allowing its storage
- Object to the making of decisions about them taken by automated means where it produces a legal or similarly significant effect on an individual
- Object to direct marketing (including profiling) or processing for the purpose of scientific, historical research and statistics
- Have your data transferred to another organisation
- Claim compensation for damage caused by a breach of their data protection rights

If an individual wants to exercise any of these rights then they should contact Isabella Byrne, Data Protection Officer of the Trust. The law does not oblige the Trust to comply with all requests. If the Trust does not intend to comply with the request then the individual will be notified of the reasons why in writing.

The Trust will not require you to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. If access is request, we may need to ask for specific information to help us to confirm your identity and ensure your right to access your personal information and to ensure that no personal information is disclosed to any person who has no right to receive it.

Concerns

If an individual has any concerns about how we are using their personal data then we ask that they 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/>.

Contact

This Privacy notice will need to be updated on a periodic basis, so it is recommended that you revisit this information from time to time.

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

Moira Lyons-Montgomery, Data Protection Officer, dataprotection@dsat.org.uk