



Privacy Notice for the School/Trust Workforce

Contents

1. Introduction.....	2
2. The personal data we hold.....	2
3. Why we use this data.....	3
4. Our lawful basis for using this data	3
5. Collecting this data.....	5
6. How we store this data.....	6
7. Who we share data with.....	6
8. Your rights	7
9. How to access personal information that we hold about you.	7
10. Contact Us	7
11. Complaints.....	8

Document Control

Document Author: The Chief Financial and Operating Officer (CFOO)

Updated	By	Approved By	Approved Date
March 2021	CFOO	Trust Executive	March 2021

1. Introduction

Under data protection law, individuals have a right to be informed about how Admiral Lord Nelson School, Trafalgar School and the Salterns Academy Trust use any personal data that 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, store, and use personal data about **individuals we employ, or otherwise engage to work at our School/Trust.**

The Salterns Academy Trust, Portsmouth is the 'data controller' for the purposes of data protection law.

The Trust's Data Protection Officer is the Chief Financial and Operating Officer (see 'Contact us' below).

2. The personal data we hold

Personal data that we may collect, use, store, and share (when appropriate) about you includes, but is not restricted to:

- Personal information (such as name, employee number, teacher number, national insurance number, date of birth, copy of driving licence or passport)
- Special categories of data (such as characteristics information such as gender, age)
- Contract information (such as start dates, hours worked, post, roles, salary, annual leave)
- Work absence information (such as number of absences and reasons, medical certificates)
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Medical information (such as food allergies or medication needed in an emergency or any health conditions you have that we need to be aware of, sickness records)
- Contact information (such as next of kin and telephone numbers of contacts that an employee would want the School/Trust to contact in an emergency)
- Address information (such as the known contact address to direct correspondence to)
- Payroll information (such as bank account numbers for payment transfers, tax status, pensions and benefits information)
- Recruitment information, including copies of right to work documentation, references and other information included in an application form or covering letter as part of the application process
- Performance information (including appraisal documents and outcomes of any disciplinary and/or grievance procedures)

We may collect, use, store, and share (when appropriate) information relating to being a member of staff which includes, but is not restricted to:

- Photographs and CCTV images captured in school
- Videos of lessons and tutorials, captured in school or during remote learning activities
- Photographs extracted from the footage of virtual lessons and tutorials
- Voice recordings extracted from lessons and tutorials, captured in school or during remote learning activities

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data.

We use the data listed above to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Enable individuals to be paid
- Enable you to undertake your employment when required to provide teaching and learning to students – this includes in-school and virtual teaching and learning
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Allow better financial modelling and planning
- Enable equalities monitoring
- Contact you directly when you are not on the premises in cases where it would be reasonable for us to contact you
- Contact others known to you, where you have provided their information, in cases where it would be reasonable for us to contact that individual

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting School/Trust events, campaigns, charitable causes, or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We only collect and use your personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation.
- We need it to perform an official task in the public interest.

Sometimes, we may also process your personal data in situations where:

- We have obtained consent to use it in a certain way.
- We need to protect the individual's vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you can withdraw consent if you wish to do so.

4.1 Legitimate interests

This means that the School/Trust is using your information when this is necessary for the School/Trust's legitimate interests except when your interests and fundamental rights override our legitimate interests. Specifically, the School/Trust has a legitimate interest in:

- Looking after your welfare and development and the welfare and development of others
- Safeguarding and promoting the welfare of pupils
- Providing an education to pupils (including remote learning)
- Ensuring the security of the school site which may involve issuing you with a photocard
- Promoting the objects and interests of the School/Trust. This includes fundraising and using information about you in our publicity material e.g. photographs.
- Making sure that you are complying with your employment obligations and that the School/Trust is complying with its employment obligations
- Using your information in connection with legal disputes. For example, if a parent or former pupil brings a claim against the School
- Facilitating the efficient operation of the School/Trust
- Ensuring that all relevant legal obligations of the School/Trust are complied with (for example in relation to inspections).

4.2 Necessary for Contract

We will need to use your information in order to comply with our contractual obligations and for you to perform your obligations as well. For example:

- We need your name and bank details so that we can pay you your salary.
- We may need to provide your personal information to a pension provider so that you can benefit from your pension entitlement.
- We also need to use your personal information to provide contractual benefits.

4.3 Legal Obligation

We have to comply with various laws and this entitles us to use your information where necessary. For example:

- To make sure that you have the right to work in the UK
- To fulfil our duty of care to you and your colleagues
- To fulfil our safeguarding duties towards pupils
- Sometimes we will be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police.

4.4 Vital interests

We may use your information where this is necessary to protect your vital interests or someone else's vital interests. For example, to prevent someone from being seriously harmed or killed.

4.5 Performance of a task carried out in the public interest (or carrying out public tasks)

The following are examples of when we use your information to perform tasks in the public interest:

- Looking after your welfare and development and the welfare and development of others. This includes equal opportunities monitoring;
- Safeguarding and promoting the welfare of our pupils;
- Providing pupils with an education;
- Ensuring the security of the school site which may involve issuing you with a photocard;
- Making sure that you are complying with your employment obligations;
- Facilitating the efficient operation of the School/Trust; and
- Ensuring that we comply with all of our legal obligations

4.6 Processing special categories of personal information.

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security, or social protection law.
- We need to protect an individual's vital interests (i.e., protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data.

We keep your information for as long as we need to in relation to your employment. We will keep some information after you have left the School/Trust in case this is needed, for example, in relation to our legal obligations. Our Records Management Policy sets out how long we keep information about staff.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with

We do not share information about you with any third party without consent unless the law 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 information about you with:

- Portsmouth City Council – to meet our legal obligations to share information about our workforce members with our local authority (Portsmouth City Council) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- The Department for Education and other relevant government departments or agencies
- Ofsted and the Education Skills Funding Agency
- Suppliers and service providers
- Financial organisations – such as for a School/Trust insurance policy for staff absence.
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

The DfE collects and processes personal data relating to those employed by School/Trusts (including Multi Academy Trusts) and local authorities that work in state funded School/Trusts (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.

The DfE may share information about School/Trust employees with third parties who promote the education or well-being of children or the effective deployment of School/Trust staff in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice, or guidance

8. Your rights

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing.
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected.
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. How to access personal information that we hold about you.

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

10. Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

Caroline Corcoran (Chief Financial and Operating Officer, Salterns Academy Trust)

Salterns Academy Trust, c/o Admiral Lord Nelson School, Dundas Lane, Portsmouth, PO3 5XT

Email ccorcoran@salternstrust.co.uk

11. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading, or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

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

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