



PRIVACY NOTICE

For Staff, Volunteers and Other Workers

Introduction

This privacy notice applies to staff, volunteers, other workers (externally employed) and to those seeking work, paid or otherwise, at the OWLS Academy Trust.

The purpose of this notice is to help you understand how and why we collect personal information about you, and what we do with that information. It also explains the decisions that you can make about your own information.

The OWLS Academy Trust is the data controller of the personal information you provide to us. This means that the school determines the purposes for which, and the manner in which, any personal data is to be processed. The CEO acts as a representative for the school with regard to its data controller responsibilities, and can be contacted on 0116 271 2776 or ceo@owlsacademytrust.co.uk.

Kirsten McLaren is the Data Protection Officer for the OWLS Academy Trust and oversees and monitors each school's data protection procedures to ensure that they are compliant with the GDPR. The Data Protection Officer can be contacted on 0116 281 1963 or lhm@littlehill.leics.sch.uk.

Why We Collect and Use Your Personal Data

Schools need to collect and use personal data relating to staff in order to meet contractual obligations in respect of your employment at the school. We also need some data from all adults who undertake work at the school (whether paid or voluntary) in order to comply with legal requirements and to fulfil our public duty and legitimate interest obligations as providers of education.

Personal data is also processed to assist in the running of the school and to enable individuals to be paid.

We may use CCTV in order to deter crime and/or to make sure the school site is safe. CCTV will never be used in private areas such as toilets.

The Lawful Basis for Processing Information

The following sets out the lawful basis that we are relying on when collecting and processing personal information about you:

To Meet Contractual Obligations

We need to process your personal data in order to pay you and to comply with other contractual obligations set out in your contract of employment: for example, we need to ensure that you are suitably qualified and able to safely carry out the duties of your post (with reasonable adjustments if applicable).

The processing of application forms as part of a recruitment process also falls within this lawful reason for processing data.

Employees and job applicants should note that:

- Failure to provide evidence of qualifications that are an essential requirement for the job may prevent employment at the school or lead to a lower rate of pay being awarded;
- Failure to provide accurate tax and/or national insurance information could lead to issues of delayed payments or an employee paying too much tax.

To Comply with Our Legal Obligations

State funded academies have legal obligations in respect of various laws, including:

- Academy Funding Agreement;
- Academies Legal Framework;
- Safeguarding Vulnerable Groups Act 2006;
- The Childcare (Disqualification) Regulations 2009;
- The Immigration, Asylum and Nationality Act 2006;

It is therefore important to note that:

- Failure to provide the school with ample proof of a right to work in the UK will prevent employment/volunteering at the school;
- Failure to provide sufficient proof of identify and address will prevent the school from applying for a DBS check – enhanced DBS clearance is a requirement for most roles within school;

Public Interest

This means the processing is necessary in order to comply with our public interest duties. This includes educating and supporting the welfare and development of pupils. Examples include:

- The use of your name and photograph on a staff display board and on your school ID badge(lanyard), as this is linked to our public duty around keeping children safe;
- Where you appear in photographs of school events and we wish to use the photograph in newsletters, on our website or on school twitter feeds. Names will not be used in conjunction with photographs used in this manner without your explicit consent.

Legitimate Interests

This means the processing is necessary, proportionate and fair for the legitimate interests of you and the school. Examples include:

- Where you appear in general photographs of school events and we wish to use the photograph in publicity or other promotional materials. Names will not be used in conjunction with photographs used in this manner without your explicit consent
- To ensure that we are able to enforce our rights against you, such as if you fail to return school equipment when asked to do so or when you leave your employment at the school;

In addition, personal information may be processed for the legitimate interests of others; for example when we are asked to provide an employment reference about you.

If you object to us using information about you where we are relying on legitimate interests as the lawful reason for processing you should contact the Head Teacher in the first instance.

Consent

In some cases we will rely on you providing us with your consent to enable us to process personal data. Where this is the case we will provide you with clear details of the data we wish to process, how we wish to use it, the reasons for processing, the duration of the processing, how long we will retain the data and how you can withdraw your consent. We will also set out what would happen if you decide not to give consent, or if you later withdraw your consent.

How We Collect Your Personal Data

In order to comply with the GDPR we will inform you when you have a choice about whether or not you wish to provide a specific piece of information (e.g. by including a tick box option of “prefer not to state”).

We obtain information about you from your application form and other forms that we will ask you to complete. We also record information about you during the time you are employed by us – for example, we maintain records of your attendance, and your performance in your role.

We will also obtain employment references from your most recent employer and other referees named by you on your application form. If you are employed by an external organisation then we may obtain information about you from them.

What Personal Data is Collected?

The categories staff information that the school collects and processes include:

- Names and addresses;
- DBS details;
- Date of Birth;
- National insurance number;
- Characteristics (e.g. ethnicity);
- Employment contracts;
- Remuneration details;
- Qualifications;
- Absence information;
- Photographs and videos.

We will only require some of the above information in connection with workers who are not employees (e.g. agency workers, volunteers, etc)

For employees, we will also ask you to provide some personal data which we will forward to our payroll provider without retaining a copy in school. This includes your bank details and tax details (e.g. P45 or Tax Starter Form). Once the information has been forwarded to our payroll provider they will be considered the data controller for this information.

Who we Share Personal Data With

Schools are required to share workforce data with the Department for Education (DfE) on a statutory basis. The collection of personal information will benefit the DfE and Local Authority by:

- Improving the management of school workforce data across the sector;
- Enabling 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 will not share your personal information with any third parties without your consent, unless the law or our policies allow us to do so. The school routinely shares staff information with:

- The Department for Education (DfE);
- Leicestershire County Council;
- The OWLS Academy Trust;
- Our payroll provider;
- Our accountants and auditors;

- Teachers Pensions;
- Leicestershire County Council Local Government Pension Scheme;
- Occupational Health;
- Staff insurance providers (e.g. for staff absence insurance and ill-health retirement insurance);
- HMRC

Job applicants who are Jobcentre Plus or Connexions clients should note that we may be required to disclose information to these organisations for performance and monitoring purposes.

We will generally only share information about volunteers and externally employed individuals outside of the OWLS Academy Trust where doing so is in the legitimate interests of the individual (e.g. if we are asked to provide a reference) or where we are compelled to do so for legal reasons.

In the event that any data is to be shared outside of the EU we will ensure that appropriate safeguards are in place to ensure that it will be processed in accordance with GDPR requirements.

Who Processes Your Information

Data processing may be outsourced to third party processors where there are compelling reasons to do so. Where outsourcing takes place the same data protection standards that the OWLS Academy Trust upholds are imposed on the data processor.

Categories of third-party data processors used by schools within the Trust include providers of web-based platforms for specialised services (e.g. for communications, accident reporting, internal monitoring and reporting processes such as logging possible child protection concerns, etc). We may also share employees' work e-mail address to create user accounts. We always ensure that appropriate levels of access control are in place, and that the school retains full control of the data that is processed via a third party and the method of processing.

We outsource our payroll processing to Leicestershire County Council, and we outsource our data back-up processes to LEAMIS.

How Long is Your Data Stored

Personal data will not be kept for longer than is necessary; unrequired data will be deleted as soon as practicable. The Trust has developed a data retention schedule which takes account of legal requirements and recommended good practice, and data should only be held for longer than the timescales set out in this document where there is objective justification to do so.

Some records relating to health and safety or child protection may be retained for an extended period for legal reasons.

Paper documents will be shredded or pulped and electronic memories scrubbed clean or destroyed once the data should no longer be retained.

Daily back-ups of electronic data are securely stored off site for 1 month. We also ensure that two month-end back-ups are available at all times.

Automated Decision-Making

The OWLS Academy Trust and its member schools do not use personal data for automated decision-making unless there are mechanisms in place for human intervention.

Data Subjects' Rights

Under data protection legislation, data subjects have the right to request access to information about them that we hold. To make a request for your personal information please contact the Trust on 0116 271 2776 or ceo@owlsacademytrust.co.uk.

You also have the right to:

- Be informed about how we use your personal data;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no compelling reason for its continued processing;
- Request that the processing of your data is restricted;
- Object to your personal data being processed;
- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office (the UK supervisory authority) at <https://ico.org.uk/concerns/>.