

## **PRIVACY NOTICE SCHOOL WORKFORCE**

Ambitions Academies Trust (AAT) collects and processes personal data relating to staff. AAT is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **1. What information does AAT collect?**

AAT collects a range of information about you. This includes:

- your name, address and contact details including email address and telephone number;
- Emergency contacts;
- Details of your qualifications, skills, experience and employment history;
- Information about your remuneration, including benefit entitlements;
- Whether or not you have a disability for which AAT needs to make reasonable adjustments;
- Information about your entitlement to work in the UK
- Information about convictions of a criminal offence which is "not protected"
- Equal opportunities monitoring information including information about your ethnic origin, gender, sexual orientation and religion & belief.
- Contract information including start date, hours worked, post, and role
- Work absence information including number of absences, reasons for absence, attendance at training courses.

AAT collects this information in a variety of ways. This includes data contained in:

- Application forms, letters of interest;
- Passport or other identity documents;
- Interviews
- Other forms of assessment including on-line testing (if applicable)

Personal data will also be held about you from third parties including:

- References from former employers.
- Criminal records check. All appointments are subject to a satisfactory enhanced DBS check and are only completed for successful offers of appointment.
- Employment background check providers.

Data is stored in a range of different places including HR management systems and on other IT systems, including email.

## **2. Why does the organisation process personal data?**

AAT needs to process school workforce data to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed;
- Inform the development of recruitment and retention policies;
- Enable AAT to perform the employment contract obligations it has entered into with the employee;
- Comply with its legal obligations and regulatory requirements eg. safeguarding, health and safety, etc.
- Exercise, respond to or defend against legal claims;
- Monitor equal opportunities
- Ensure AAT meets its obligations in respect of reasonable adjustments in relation to employment.

Where AAT relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

AAT is obliged to seek information about criminal convictions and offences in line with safer recruitment guidelines. Where AAT seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

## **3. The lawful basis on which AAT processes this information:**

AAT only collect and use personal information about you when the law allows it to do so. Most commonly, AAT use it where there is a need to:

- Fulfil a contract AAT have entered into with you;
- Comply with a legal obligation;
- Carry out a task in the public interest.

Less commonly, AAT may also use personal information about you where:

- You have given consent to use it in a certain way;
- AAT need to protect your vital interests (or someone else's interests);
- AAT have legitimate interests in processing the data.

Where you have provided consent to use your data, you may withdraw this consent at any time. AAT will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Trust's use of your data.

## **NHS Track and Trace – COVID-19**

The law on protecting personally identifiable information allows Public Health England to use the personal information collected by NHS Test and Trace Service. If required to do so, Ambitions Academies Trust will provide contact details of all children and adults that have been in close contact with anyone that has tested positive for Covid-19 within Ambitions Academies Trust settings.

This is in accordance with Article 6(1)(e) of the GDPR '*processing is necessary for the performance of a task carried out in the public interest*'. For more information please see the following government guidance.

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works#how-nhs-test-and-trace-service-works>

<https://contact-tracing.phe.gov.uk/help/privacy-notice>

### **4. Collecting this information:**

Whilst the majority of information you provide to AAT is mandatory some of it is provided on a voluntary basis. In order to comply with data protection legislation AAT will inform you whether you are required to provide certain school workforce information or if there is a choice.

### **5. How does AAT protect data?**

AAT takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by AAT employees in the proper performance of their duties. Appropriate restriction levels are in place in management information systems where your data may be held.

AAT will not transfer your data outside the European Economic Area.

### **6. Storing this information:**

AAT hold school workforce data in line with the Information Management Toolkit for Schools: [irms.org.uk/page/schoolsToolkit](https://irms.org.uk/page/schoolsToolkit).

### **7. Who AAT share this information with:**

This information is routinely share with:

- The Local Authority
- The Department of Education (DfE)
- Ambitions Academies Trust

## 8. Why AAT share school workforce information:

- Local Authority (LA) – AAT are required to share information about its workforce members with the Local Authority under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- Department for Education (DfE) – AAT share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation and links to school funding/ expenditure and the assessment educational attainment.
- AAT are required to share information about its pupils with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## 9. Data collection requirements:

The DfE collects and processes personal data relating to those employed by schools (including multi academy trusts) and local authorities that work in state funded schools (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.

To find out more about the data collection requirements placed on AAT by the DfE including the data that is shared with them, go to: <https://www.gov.uk/education/data-collection-and-censuses-for-schools> .

The 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 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 DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- Who is requesting 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.

For more information about the DfE's data sharing process please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the DfE: <https://www.gov.uk/contact-dfe>

## 10. Requesting access to your personal data

Under the data protection legislation you have the right to request access to information about you that is held by AAT. To make a request for your personal information contact:

- Melanie Welch
- Office Manager
- Tel: 01202 380103
- Email: melanie.welch@manorside-academy.co.uk

Or

- Sherri Hawkins
- Data Protection Officer
- Tel: 01202 307823
- Email: sherri.hawkins@aat.education

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way AAT collect or use your personal data, you should raise your concern with AAT in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## 11. Further information:

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

- Melanie Welch
- Office Manager
- Tel: 01202 380103
- Email: melanie.welch@manorside-academy.co.uk

Or

- Sherri Hawkins
- Data Protection Officer
- Tel: 01202 307823
- Email: sherri.hawkins@aat.education

**Outstanding Achievement for All**