



the
beckmead
trust

Privacy Notice for the School Workforce

- nurture
- sustain
- grow

Name of Policy	Privacy Notice for the School Workforce
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Signature	Dee Fullerton
Date of Signature	June 2023

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our school uses 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 who otherwise engage to work at our school.**

Our trust, The Beckmead Trust, 170 Sanderstead Road, 0203 772 8805 (option 3) dpo@beckmeadtrust.org, is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Dee Fullerton (see 'Contact us' below).

2. The personal data we hold

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

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

- Contact details
- Emergency details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Details of any dependants
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information
- Criminal records information as required by law to enable you to work with children
- Information on grievances raised by or involving you
- Information on conduct and/or other disciplinary issues involving you
- Details of your appraisals, performance reviews and capability issues
- Details of your time and attendance records

- Information about the use of our IT, communications and other systems, and other monitoring information;
- Details of your use of business-related social media
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur)
- Details in references about you that we give to other
- Recordings of staff from the School's video conferencing platform

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Sickness records
- Photographs and CCTV images captured in school
- Information about trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

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:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) To determine recruitment and selection decisions on prospective employees
- d) In order to carry out effective performance of the employees contract of employment and to maintain employment records
- e) To comply with regulatory requirements and good employment practice
- f) To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements
- g) Enable the development of a comprehensive picture of the workforce and how it is deployed and managed
- h) To enable management and planning of the workforce, including accounting and auditing
- i) Personnel management including retention, sickness and attendance
- j) Performance reviews, managing performance and determining performance requirements
- k) In order to manage internal policy and procedure and inform recruitment and retention policies
- l) Human resources administration including pensions, payroll and benefits
- m) To determine qualifications for a particular job or task, including decisions about promotions
- n) Evidence for possible disciplinary or grievance processes
- o) Complying with legal obligations
- p) To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding

- q) To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution
- r) Education, training and development activities
- s) To monitor compliance with equal opportunities legislation
- t) To answer questions from insurers in respect of any insurance policies which relate to you
- u) Determinations about continued employment or engagement
- v) Arrangements for the termination of the working relationship
- w) Dealing with post-termination arrangements
- x) Health and safety obligations
- y) Prevention and detection of fraud or other criminal offences
- z) To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.
- aa) Support the work of the School Teachers' Review Body

Further information on the monitoring we undertake in the workplace and how we do this is available in Data Protection Policy.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

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 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 clicking on the 'Unsubscribe' link at the bottom of any such communication, or 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 staff members' 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

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation)
- Where it is needed in the public interest or for official purposes

- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided us with consent to process your personal

data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

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 would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK 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're 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

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

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 or tribunals
- Home Office
- Pension providers
- Your doctors
- Medical and occupational health professionals we engage with
- The DBS
- Your Trade Union
- Other employees
- Other professionals we may engage with (eg to advise us generally)
- Automated monitoring of our websites and other technical systems such as computer networks and connections
- CCTV
- Access control systems and IT systems the school has in place, including emails and instant messaging systems, intranet and internet facilities

6. How we store this data

We keep personal information about you while you work at our school. We may also keep it beyond your employment at our school if this is necessary. Our record retention schedule/records management policy sets out how long we keep information about staff. A copy of our record retention schedule/records management policy is available upon request by contacting information@beckmeadtrust.org

Except as otherwise permitted or required by applicable law or regulation, the School only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

To determine the appropriate retention period for personal data, the School considers the amount, nature and sensitivity of personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes of processing the personal data, whether we can fulfil the purposes of processing by other means and any applicable legal requirements.

Once you are no longer an employee, worker or contractor of the school we will retain and securely destroy your personal information in accordance with our record retention schedule/records management policy.

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. In addition we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

Third parties will only process your personal information on our instructions and where they have agreed to treat information confidentially and to keep it secure.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

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 UK data protection law), we may share personal information about you with:

- Our local authority that covers the school location – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Our regulator, Ofsted
- Prospective Employers
- Welfare services (such as social services)
- Law enforcement officials such as police, HMRC
- LADO
- Training providers
- Professional advisors such as lawyers and consultants
- Support services (including HR support, insurance, IT support, information security, pensions and payroll)
- Occupational Health
- DBS
- Recruitment and supply agencies

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

7.1 Transferring data internationally

We may share personal information about you with international third parties, where different data protection legislation applies. We may share your information internationally where (but not limited to):

- we or a company we work with store information on computer servers based overseas; or
- we communicate with you when you are overseas.

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law and appropriate steps will be taken to keep the data secure. We conduct due diligence on the companies we share data with and note whether they process data in the UK, EEA (which means the European Union, Liechtenstein, Norway and Iceland) or outside of the EEA. The UK and countries in the EEA are obliged to adhere to the requirements of the GDPR and have equivalent legislation which confer the same level of protection to your personal data.

For organisations who process data outside the UK and EEA we will assess the circumstances of how this occurs and ensure there is no undue risk.

Additionally, we will assess if there are adequate legal provisions in place to transfer data outside of the UK.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 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).

8.2 Your other rights regarding your data

Under UK 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
 - Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
 - 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. 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

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- [Dee Fullerton, dpo@beckmeadtrust.org]

However, our **data protection leads** have day-to-day responsibility for data protection issues in our schools. The data protection lead in schools is the Head Teacher or delegated senior management member of staff for this purpose. For Central Services please contact the DPO.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them in the first instance.

11. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.