



## Privacy Notice for Staff – General Data Protection Regulation

### **1. St Augustine's CE Academy's Commitment to Data Privacy**

St Augustine's CE Academy is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. The General Data Protection Regulation becomes law in all European countries from 25<sup>th</sup> May 2018. From this date, EU residents (data subjects) have greater control over the processing of their personal data and organisations within the EU have obligations to protect personal data accordingly.

Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about staff.

### **2. Who processes your information?**

The Academy is the data controller of the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. A data protection representative for the Academy, **Emma Sandbach**, can be contacted on **01283 820365** or **office@st-augustines.staffs.sch.uk** in the first instance for any queries in relation to the processing of your personal data.

Hope Kirkham is the Data Protection Officer for the Staffordshire University Academies Trust and her role is to oversee and monitor the Trust and its' Academies' data processing practices. The DPO can be contacted on 01782 969465 / 07519 106873 or [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk).

The information you provide will be used in accordance with the Staffordshire University Academies Trust GDPR Data Protection Policy and Compliant Records Management Policy which can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents--policies>.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the Academy places data protection requirements on third party processors to ensure that data is processed in line staff members' privacy rights.

### **3. Why do we need your information?**

The Academy has the legal right and a legitimate interest as a public organisation to collect and process personal data relating to those we employ to work at the Academy, or those otherwise contracted to work at the Academy. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's legal framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009

If staff members fail to provide their personal data, there may be significant consequences. This includes the following:

**Employment checks:**

Failure to provide the Academy with ample proof of a right to work in the UK will prevent employment at the Academy.

Employees found to be working illegally could face prosecution by law enforcement officers.

**Safeguarding checks:**

Failure to provide accurate information regarding previous employment, references and records relating to proven incidents which are of a safeguarding or child protection nature will prevent employment at the Academy.

**Salary requirements:**

Failure to provide accurate tax codes and/or national insurance numbers and bank information could lead to issues of delayed payments or an employee paying too much tax. Medical information:

**Health requirements:**

Failure to provide relevant medical, health or welfare information could result in the Academy being unable to fulfil any supportive or preventative care and/or risk management in the workplace in accordance with the Health, Safety and Welfare Act 1974.

**4. For which purposes are your personal data processed?**

In accordance with the above, staff members' personal data is used for the following reasons:

- Contractual requirements
- Employment checks, e.g. right to work in the UK
- Safeguarding requirements
- Salary requirements
- Health and safety requirements
- Operational functioning of the academy under its requirement as a public body

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

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

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

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

## **5. Which data is collected?**

The personal data the academy will collect from its workforce includes the following:

- Name, address, date of birth, marital status and gender
- Data relating to disability
- Employment contracts
- Remuneration details and national insurance number
- Qualifications
- Absence information
- Maternity/paternity pay records
- Pension information
- DBS data
- Means of identification
- Emergency contact information
- Employment history and references
- Child protection and safeguarding allegations – proven and unproven
- Child maintenance payment information
- Professional development information including performance management and appraisals
- Vehicle registration
- Driving licence (if the member of staff is required to drive for work purposes)
- CCTV
- Accident and incident information
- Staff photos
- Data about your use of the Academy's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation
- Trade union membership
- Health, including any medical conditions, physical and mental health information, and sickness records

When you complete the application form for us as part of our recruitment process, you will be providing the academy with data which is specified under the General Data Protection Regulation as Special Category Data, which is data that could be considered particularly

sensitive. This means that, under the GDPR, we must have a lawful basis for processing this data and have obligations to keep this data secure. We collect special category data in order to fulfil our legitimate interests as a public organisation, where we have a legal obligation to process this data or where we have consent. Where we require your consent for collecting data, this will be specified on the form for the request of data.

The collection of personal information will benefit both the DfE and Academy/Trust by:

- Improving the management of workforce data across the sector;
- Enabling the development of 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 you to be paid;
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils;
- Enabling equalities monitoring;
- Supporting the work of the teachers' review body;
- Ensuring staff are safe in the workplace;
- Support effective performance management;
- Inform our recruitment and retention policies.

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 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 school's use of your data.

### **Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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.

## **6. Will your personal data be sought from third parties?**

Data obtained by the data subject:

Staff members' personal data will be sought from the data subject themselves. No third parties will be contacted to obtain staff members' personal data without the data subject's consent, unless the Academy has a legal basis for doing so.

Data obtained directly from third parties:

Staff members' personal data may be obtained and processed from third parties where the law requires the academy to do so, e.g. medical records from a GP. The categories of data obtained and processed from third parties include:

- Medical records from your GP
- Occupational health reports from Staffordshire County Council
- References from current employers and previous employers

## 7. How is your information shared?

The Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so.

The Academy will share your data with the following third parties for the following services. You can provide your consent for the sharing of this data with third parties in the form provided below.

<b>Organisation</b>	<b>Purpose for Sharing Personal Data</b>
Our local authority, Staffordshire County Council	To meet our legal obligations to share certain information inclusive of safeguarding concerns, health and safety and risk management obligations, exclusions and financial auditing.
The Department for Education	Census returns and any further relevant communication as required as a public body organisation.
Family and representatives	Where required as a form of contact in the case of an emergency.
Educators and examining bodies	To meet our obligations as a public body to ensure that we support, monitor and report on progress and for our pupils to progress to obtain qualifications.
Our regulator, Ofsted	To meet our obligations as a public body to monitor teaching and learning and provide quality assurances.
Suppliers and service providers including professional bodies, professional advisers and consultants	To enable them to provide the service we have contracted them for in support of teaching and learning, behaviour management, safeguarding concerns, health and safety and risk management obligations, exclusions, payroll, human resources, insurance including staff absence insurance providers and auditing.
Financial organisations	To enable the Academy to demonstrate appropriate spend in accordance with its financial obligations.
Our auditors	To enable the Academy to demonstrate compliance with financial, data protection and health and safety obligations.
Survey and research organisations	To support the Academy in its ability to fulfil organisational goals through feedback and assurance processes. Data will be anonymised.
Health authorities, and health and social welfare organisations	To support the Academy in its ability to ensure that staff are supported in their mental and physical wellbeing.
Charities and voluntary organisations	To support the Academy in enhancing the learning environment and opportunities for its pupils.
Police forces, courts, tribunals	To support the Academy in meeting its obligations in meeting the requirements of the law.

Trade unions and associations	To support the academy and the workforce in looking after their interests.
Employment and recruitment agencies	To undertake effective recruitment processes in accordance with safer recruitment practices.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

#### **8. How long is your data retained for?**

Staff members' personal data is retained in line with the Staffordshire University Academies Trust Compliant Records Management Policy.

Personal information will be retained depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Compliant Records Management Policy from the Trust website <http://www.suatrust.co.uk/documents---policies> or request a copy from the Academy's Data Protection Representative.

#### **9. What are your rights?**

As the data subject, you have specific rights to the processing of your data.

You have a legal right to:

- Make a '**subject access request**' to gain access to personal information that the Academy holds about you. If you would like to make a request, please contact our Data Protection Representative
- You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances
- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to 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, deleted or destroyed, or restrict processing

To exercise your rights please contact the Data Protection Representative for your Academy.

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

## **10. Queries and Complaints**

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

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – [hkirkham@suatrust.co.uk](mailto:hkirkham@suatrust.co.uk)

Telephone – 01782 969465

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

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

## **11. How can you find out more information?**

If you require further information about how we and/or the DfE store and use your personal data, please visit our website, [www.st-augustines.staffs.sch.uk](http://www.st-augustines.staffs.sch.uk), the Gov.UK [website](#), or download our GDPR Data Protection and Compliant Records Management Policy.

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**St Augustine's CE Academy**  
**Staff Privacy Notice - GDPR**

**Declaration**

I declare that I understand:

- **St Augustine's CE Academy** has a legal and legitimate interest to collect and process my personal data in order to meet statutory and contractual requirements.
- There may be significant consequences if I fail to provide the personal data **St Augustine's CE Academy** requires.
- **St Augustine's CE Academy** may share my data with the DfE, and subsequently the LA.
- **St Augustine's CE Academy** will not share my data to any other third parties without my consent, unless the law requires the Academy to do so.
- The nature and personal categories of this data, and where the personal data originates from, where my data is obtained from third parties.
- My data is retained in line with the Staffordshire University Academies Trust Compliant Records Management Policy and the GDPR Data Protection Policy.
- My rights to the processing of my personal data.

**Name of staff member:**

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**Signature of staff member:**

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**Date:**

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