



Data Protection Privacy Notice for Staff

Last reviewed: June 2023

This document has been prepared in accordance with the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and other related legislation, and applies to all members of the workforce of the [Vale Academy Trust](#).

Document Control			
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Owner	Data Protection Officer	Approver	Board of Directors
Category	Public	Type	Global

Privacy Notice for Staff (all of the workforce)

IMPORTANT

Every member of staff is required to complete a declaration showing that they have read and understood this Privacy Notice. The easiest way to do this is with the online form (takes just a minute to complete), the link to which is on the last page of this document.

Who we are

For the purposes of data protection legislation, the Vale Academy Trust (“the Trust”) is the Data Controller. This means it is in charge of how personal data about you is collected and used.

In this privacy notice ‘we’, ‘us’ and ‘our’ means the Trust.

Contact details and postal address for the Trust can be found on the Trust website: www.vale-academy.org

The Data Protection Officer for the Trust is Victoria Roberts. She can be contacted on: 01235 754070 or InformationTeam@vale-academy.org

About this document:

This privacy notice sets out how we collect, use, protect and share the personal data of our workforce, including job applicants. It applies in addition to any other relevant terms and conditions and policies that may also apply to you, depending on your role. However, it does not form any contract of employment or other contract to provide services. Any reference within this document to “employment”, “staff” etc. is not intended to imply or confer employment rights on you if you are a non-employed worker, such as a contractor or job applicant.

This privacy notice applies in addition to any other privacy notice we may provide on specific occasions, and where relevant, any contract between us and any relevant data protection policy

The categories of information that we process include (this list is not exhaustive):

- Personal information, such as name, employee or teacher number, national insurance number
- Characteristics information, such as gender, age, ethnic group
- Contract information, such as start date, hours worked, post, roles and salary information
- Work absence information, such as number of absences and reasons
- Qualifications and, where relevant, subjects taught
- Payroll information, including bank account details
- Sensitive information, i.e. special category personal data, such as medical information, ethnic group and trade union membership, if you choose to supply it
- Images recorded by security CCTV systems on Trust premises

How we use your information

We process personal data in order to assess candidates' suitability for a given role, for employment purposes, to assist in the running of the Trust, and to develop and improve our recruitment processes.

The lawful basis we rely on for processing your personal data is article 6(1)(b) of the UK GDPR, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract.

If you provide us with any information about reasonable adjustments you require under the Equality Act 2010 the lawful basis we rely on for processing this information is article 6(1)(c) to comply with our legal obligations under the Act.

The lawful basis we rely on to process special category data, such as health, religious or ethnicity information is article 9(2)(b) of the UK GDPR, which relates to our obligations in employment and the safeguarding of your fundamental rights. And Schedule 1 part 1(1) of the DPA2018 which again relates to processing for employment purposes.

We may process information about criminal convictions and offences. The lawful basis we rely on to process this data are Article 6(1)(e) for the performance of our public task. In addition we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a).

Vital interests: rarely, we may need to process personal data of our staff and workers to protect you or someone else's life. For example, to share information about medical conditions that you may have with a doctor or hospital in the event of an accident. This processing is lawful under article 6(1)(d) of the UK GDPR.

How we collect workforce information

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the Trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

We also collect information from a previous employer or educational establishment. You will know about this because you will have supplied us with the relevant contact details.

Application stage

If you apply for a role at the Trust, your personal data will be collected. We may ask you for your personal details including name and contact details. We'll also ask you about previous experience, education, referees and for answers to questions relevant to the role. Our recruitment team will have access to all this information.

You will also be asked to provide equal opportunities information. This is not mandatory – if you don't provide it, it won't affect your application. We won't make the information available to any staff outside our recruitment team, including hiring managers, in a way that can identify you. Any information you provide will be used to produce and monitor equal opportunities

statistics. This information may also be shared with external equality and diversity auditors.

Shortlisting

Our hiring managers shortlist applications for interview. They will not be provided with your name or contact details or with your equal opportunities information if you have provided it.

Assessments

We may ask you to participate in assessment days; complete tests or occupational personality profile questionnaires; attend an interview; or a combination of these. Information will be generated by you and by us. For example, you might complete a written test or we might take interview notes.

If you are unsuccessful after assessment for the role, we may ask if you would like your details retained in our talent pool. If you agree, we may contact you should any further suitable vacancies arise.

Conditional offer

If we make a conditional offer of employment, we'll ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We must confirm the identity of our staff and their right to work in the United Kingdom, and seek assurance as to their trustworthiness, integrity and reliability.

You must therefore provide:

- proof of your identity
- proof of your qualifications
- a criminal records declaration to declare any unspent convictions
- information as part of any Disclosure and Barring Service checks, where applicable

We'll contact your referees, using the details you provide in your application, directly to obtain references.

We'll also ask you to complete a questionnaire about your health to establish your fitness to work.

We'll also ask you about any reasonable adjustments you may require under the Equality Act 2010. This information will be shared with relevant staff to ensure these are in place for when you start your employment.

If we make a final offer, we'll also ask you for the following:

- bank details – to process salary payments
- emergency contact details – so we know who to contact in case you have an emergency at work

Consequences of failure to provide us with your personal data

Some of the information we collect from you is required by law or under contract. If you fail to provide us with certain information when requested, we may not be able to perform the contract we have entered into with you (or are attempting to enter into), such as paying you or providing you with a benefit, or we may be prevented from complying with our legal obligations such as ensuring the health and safety of our workforce.

How we share your information with third parties

We will not share information about you with third parties without your consent unless the law allows us to.

Local Authority

We are required to share information about our workforce members with our local authority (LA) under [section 5 of the Education \(Supply of Information about the School Workforce\) \(No 2\) \(England\) Regulations 2007 and amendments](#).

If you require more information about how the local authority stores and uses your personal data please visit: www.oxfordshire.gov.uk/

Department for Education (DfE)

The DfE collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the DfE for the purpose of those data collections, under [section 5 of the Education \(Supply of Information about the School Workforce\) \(No 2\) \(England\) Regulations 2007 and amendments](#).

All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current government security policy framework

If you require more information about how the DfE processes your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Disclosure and Barring Service (DBS)

We disclose personal data about you to the Disclosure and Barring Service for the purposes of carrying out checks on your suitability for work with children.

Payroll and HMRC

We disclose details about you including national insurance number and absence information to our payroll provider to enable you to be paid. We also share your identity and pay information with HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions.

Salary Sacrifice Scheme

Where you have decided to become part of a salary sacrifice scheme, such as that for child care vouchers, we share your details with the provider to the extent necessary for them to provide the vouchers to you. <https://www.kiddivouchers.com/>

Pension

We share your details with your pension provider in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement. For teachers the

scheme is the TPS, for support staff the scheme is LGPS.

Our disclosures to third parties are lawful because one of the following reasons applies:

For ordinary personal data uses:

- The disclosure is necessary for the performance of your employment contract
- The disclosure is necessary for the performance of a legal obligation to which the Trust is subject.
- The disclosure is necessary for the performance of our education function which is a function in the public interest.
- We collect your consent

For Special Category Personal Data (i.e., sensitive personal information) uses:

- The disclosure is necessary for safeguarding purposes, i.e. to protect pupils from harm, and is therefore in the substantial public interest.
- The disclosure is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on us as the Data Controller or on you in connection with your employment
- Where we collect ethnic origin or disability information for equality monitoring purposes, this falls within substantial public interest and is therefore lawful (but you are not required to provide information for that purpose if you do not want to)
- We collect your explicit consent

Biometric Systems

Where a school operates a biometric system for staff identification (where used, these are usually fingerprint-based systems found in catering and library applications, but can include door entry and other systems) then the school will require explicit written consent from each intended user for each system. Please refer to our ***Data Protection Biometric Policy***, which can be found on school/Trust websites, or a copy can be obtained from school/Trust offices.

Transferring your personal data outside of the United Kingdom

Occasionally we may need to transfer your personal data outside the UK, for example, some of our suppliers and service providers are located outside the UK and may see your personal information when providing us with software support.

On the few occasions where we do transfer your information outside the UK, we will ensure it is protected and handled in line with data protection law. For example, we will only transfer it to a country that is officially considered to provide adequate protection for personal data or protect it by using one of the safeguarding measures available under data protection law.

If you would like more information about how we protect your personal information if it is transferred outside the UK, please contact our Data Protection Officer.

How we protect your personal information

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we restrict access to your personal data to those employees, agents, contractors

and other third parties who have a business need to access it.

Automated decision-making and profiling

Automated decision-making is when a computer or similar electronic system uses personal information to make decisions about people without any human involvement. Profiling takes place when different aspects about a person (such as their behaviour, interests or personality) are analysed in order to make predictions or decisions about them. Automated decision-making does not have to involve profiling, though it often will.

We do not envisage that any decisions will be taken about you using automated decision making (including profiling). If that changes we will tell you.

Data protection law allows us to use automated decision-making (including profiling) only in the following circumstances:

1. Where we have told you about the decision and given you 21 days so that you can ask us to reconsider that decision;
2. Where it is necessary for entering into, or performance of, a contract we have with you (but appropriate measures must be in place to protect your rights);
3. In limited circumstances, where you have given us your consent in writing (but appropriate measures must be in place to protect your own rights).

If we make an automated decision about you on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

How long we keep your personal information

We only keep your information for as long as we need it or for as long as we are required by law to keep it, including for the purposes of satisfying any legal, accounting or reporting requirements.

Full details are given in our Records Retention Policy which can be found on our website: www.vale-academy.org

Your duty to tell us about changes to your personal information

It's important that the personal data we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us. For example, if your address or telephone number changes.

Your rights

You have the right to:

- Ask for access to your personal information
- Ask for rectification of the information we hold about you

- Ask for the erasure of information about you
- Ask for our processing of your personal information to be restricted
- Data portability, which means the transfer of your personal data to another data controller
- Withdraw your consent to the processing of your personal data, if we are processing it based on your consent
- Object to us processing your information.

If you want to use your rights, for example, by requesting a copy of the information we hold about you, please contact our Data Protection Officer.

Some of these legal rights do not apply in all circumstances. We may be able to refuse or partially refuse requests in certain circumstances, such as where a legal exemption applies.

In most cases we have one month to respond to you but this can be extended in some cases. If we do extend the timeframe in which we have to comply with your request, we will explain why and when you can expect a substantive response.

You will not usually have to pay a fee to exercise your legal rights but there are some limited exceptions. For example, if you are making a subject access request for your personal data that we reasonably believe is excessive. If we propose to charge a fee we will tell you in advance.

Complaints

If at any time you are not happy with how we are processing your personal information then you may raise the issue with the Data Protection Officer (contact details above under 'Who we are'). If you are not happy with the outcome you can raise a complaint with the Information Commissioner's Office: Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Changes to this Privacy Notice

We may update and change this Privacy Notice from time to time to keep it up to date and compliant with the law. We will always publish the most up to date version on our intranet or in an otherwise accessible location. If we make a substantial change that affects your rights, we will notify you of the change as far as it is practicable to do so.

Please complete the declaration on the next page

Privacy Notice for Staff - Declaration

Every member of the workforce in the Vale Academy Trust is required to complete a declaration showing that they have read and understood this Privacy Notice. The easiest way to do this is with the online form (takes just a minute to complete):

[CLICK HERE FOR THE ONLINE FORM](#)

If for any reason you are unable to use the online form, you should instead complete the paper form below. School-based staff should return the completed page to their school office. Other staff should return it to the Trust's HR Director at the central office.

I confirm that I have read the Data Protection Privacy Notice for Staff, and declare that I understand:

- the nature and personal categories of my personal data and where it comes from;
- my rights regarding the processing of my personal data;
- that there is a lawful basis for the Trust's processing of my personal data;
- that there may be significant consequences if I fail to provide the personal data required by the Trust;
- that the Trust may share my personal data with the DfE and the relevant local authority;
- that the Trust will not share my personal data with third parties without my consent, unless the law requires it;
- that my personal data is retained in line with the Trust's Records Retention Policy.

Name of employee (CAPS):

Signature of employee:

Name of School or Central Office:

Date:
