

April 2018

Dear Employee

### **General Data Protection Regulation (GDPR)**

As a Trust, Data Protection is something we take very seriously. In the UK, most of the rules on this subject are contained within the 1998 Data Protection Act. Schools are currently required to detail to staff how their personal data may be collected and used. This requirement will remain once the General Data Protection Regulation (GDPR) comes into effect on 25 May 2018.

Since the Data Protection Act was passed, we have entered the 'digital era' where we have seen the launch of Google, Facebook, Twitter and many other applications which have changed and will continue to change the world of personal data.

We want to ensure that you are familiar with the changing legislation, aware how we are seeking to comply with it and, most importantly that you understand the imminent changes.

### **The School Workforce - GDPR outlines responsibilities for Data Controllers and Data Processors.**

#### **Who are these people in our school?**

The school is the data controller of the personal information you provide to us. This means they determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. A representative of the school (*insert name*) can be contacted on (*insert phone number and email*).

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

As an academy within the Transform Multi-Academy Trust (MAT), the Trust is the overall **Data Controller** of the personal data you provide to us. This means that they decide the purpose for which and the manner in which any personal data relating to pupils and their families is to be processed.

Jill Wilkinson is the Transform Trust Data Protection Officer. Her role is to oversee and monitor the school's Data Protection procedures and to ensure they are compliant with GDPR.

Jill can be contacted by telephone (0115 9829050) or e-mail

[dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk)

Rachel Hannon is our HR consultant and she can be contacted on:

[Rachel.hannon@transformtrust.co.uk](mailto:Rachel.hannon@transformtrust.co.uk)

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

Our school has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the school, or those otherwise contracted to work at the school. 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:

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

Staff members' personal data is also processed to assist in the running of the school, and to enable individuals to be paid. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

### **What sort of data is collected?**

The categories of employee information that the school collects, holds and shares include:

- Personal information e.g. name, gender, date of birth, address, national insurance, contact details mobile phone and email details
- Characteristics e.g. ethnicity, language, nationality, country of birth
- Completed application forms
- CVs
- Right to work in the UK information
- Qualification Certificates where appropriate
- Employment contract
- References
- Bank account details for payroll
- Remuneration details
- Medical information
- Attendance Information e.g. the number of absences and the reasons for them

- Performance Management information
- Special Educational Needs and Disability (SEND) information (where appropriate)
- Accident/Incident information e.g. where First Aid has been administered
- Photos for website, Trust/TSA promotions, school noticeboards, ID
- Equality information e.g. incidents of racism, bullying
- Grievances/complaints where relevant
- Confidential minutes of multi-agency meetings where relevant

The collection of personal information will benefit both the DfE and Local Authority 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 ethnicity and disability monitoring
- Supporting the work of the school teachers' review body

### **Will my information be shared?**

**Data Processors** are people or organisations that process the personal data on behalf of the controller. Examples in our school include our Management Information System provider, SAAF for our payroll, our school photographer and our cashless catering provider.

Within the Trust or school, there are very few occasions where we would need to approach you for your consent to process (share) your data outside recruitment and employment processes. We use data for payroll including performance management processes, pensions, contributions to unions, contacting you in the event of an emergency and our workforce returns.

All schools within the Trust are required to share employee details with SAAF who are our payroll provider to ensure that employees are paid on time.

If an employee is a Staff Governor, information is shared with the Department for Education to comply with the Academies Financial Handbook.

We are required to share information about our pupils with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. It is important to stress at this point that the Department for Education has robust processes in place to ensure confidentiality of any data is maintained. Similarly, we share information with the Local Authority and Teachers Pension for pension details and the School Health Team (part of the National Health Service) for example, referrals to Occupational Health.

During a school inspection, Ofsted inspectors will view the single central record for safeguarding compliance, in accordance with the School Inspection Framework. The Trust also conducts safeguarding reviews and will also view the school's single central record to ensure that the school is compliant.

We will not share your personal information with any third parties without your consent, unless the law requires us to do so. The school routinely shares employees' information with:

- Transform Trust
- DfE – workforce returns
- Local Authority – pension departments
- Providers of Childcare Voucher schemes
- SAAF – payroll system
- Occupational Health/The National Health Service/GPs
- Unions – anonymised information

The information we share with these parties includes:

- Employee pay details and bank details for salary
- Pension contributions – includes date of birth, national insurance number, address and next of kin details
- Performance management information in line with the Trust's Pay policy
- Attendance information
- Mobile phone numbers and e-mail addresses of employees and emergency contact details
- Membership fees

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

Your personal data is only sought from you. No third parties will be contacted to obtain your personal data without your consent. Personal data may be obtained and processed from third parties where the law requires the school to do so, e.g. medical records from a GP.

### **How long is your data stored for?**

GDPR states that schools should not store personal data indefinitely and that unless there is a legitimate reason to keep it e.g. a legal requirement, it should only be stored for as long as it is necessary to complete the task for which it was originally intended. Once it is no longer needed it will be securely erased.

## **What are your rights?**

Employees have the following rights under GDPR:

- The right to be informed – this means that we must tell you that we are using your data, why and for what purpose.
- The right of access – this means that you are allowed to request to see the data in relation to you that we are processing.
- The right of rectification – this means that if your data is incorrect, we have to correct it.
- The right to erasure – you can request that we erase all data relating to you that we hold. This applies only when the personal data supplied is no longer necessary for the purpose for which it was collected. So, in essence this means that we cannot erase information relating to a pupil who is still attending our school.
- The right to restrict processing – you can request that we stop using your data unless we have a legitimate legal basis for continuing to do so.
- The right to data portability. This means that you can obtain and re-use your personal data for your own purposes across different services,
- The right to object – this means that you can request us to stop using your data unless we have an overriding legitimate reason to continue.

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.

## **Are you concerned or would you like more information?**

If you have a concern about the way our school and/or the Trust is collecting or using your personal data you can raise a concern with the Information Commissioner's Office (ICO). This can be done by telephone 0303 123 1113 Monday – Friday 9am – 5pm or e-mail [registration@ico.org.uk](mailto:registration@ico.org.uk)

If you have any questions or concerns that you feel we should address, please let me know.

Yours sincerely

Headteacher

## The General Data Protection Regulation

Privacy Notice for the school workforce employed or otherwise engaged to work in a Transform Trust school.

Transform Trust are the Data Controller for the purposes of the Data Protection Act.

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. This personal data includes some or all of the following - identifiers such as name and National Insurance Number and characteristics such as ethnic group; employment contract and remuneration details, qualifications and absence information.

The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling 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 ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Board and the School Support Staff Negotiating Body

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass on some of this data to the Department for Education (DfE).