



Privacy Notice for Employees

Attain Academy Partnership (herein referred to as the 'Trust') comprises the following academies: Bocking Primary School, Cressing Primary School, de Vere Primary School, Elm Hall Primary School, Gosfield Community Primary School, Newlands Spring Primary & Nursery School, and Rayne Primary & Nursery School (herein referred to as the 'Academy').

1. Introduction

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

Attain Academy Partnership, is the 'data controller' for the purposes of data protection law. This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work in our Trust. We take the security of your data seriously. We have 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 its employees and service providers in the performance of their duties. Please see below for details of our Data Protection Officer.

The headteacher / head of school in each school is responsible for ensuring that their Academy complies with Trust's policies and procedures in relation to Data Protection. This policy has been written with consideration given to working practices. By adopting this policy, a reduction in workload has been facilitated by reducing the need for individual academies to interpret the policy locally.

2. The categories of information that we process include:

We process data relating to those we employ, or otherwise engage, to work at our Trust. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- a) Personal information (such as name, employee or teacher number, national insurance number, date of birth, personal email address, work email address)
- b) Characteristics information (such as gender, age, ethnic group)
- c) Next of kin and emergency contact numbers
- d) Contract information (such as start date, hours worked, post, roles and salary information, annual leave, pension and benefits information)
- e) Work absence information (such as number of absences and reasons)
- f) Bank account details, payroll records, National Insurance number and tax status information
- g) Recruitment information, including copies of right to work documentation, references, disclosure and barring Service (DBS) Checks, and other information included in a CV or cover letter or as part of the application process
- h) Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- i) Performance information
- j) Outcomes of any disciplinary and/or grievance procedures
- k) Photographs, for ID badges, or to identify our staff to the wider public. We follow DfE guidance in displaying staff details and roles via our Academies' websites and notice boards, to give pupils and parents a clear picture of who is working for our Trust.
- l) CCTV footage
- m) Data about your use of the information and communications systems in your place of work

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):

- a) Race, ethnicity, religious beliefs, sexual orientation and political opinions
- b) Trade union membership
- c) Health, including any medical conditions, and sickness records

This list is not exhaustive.

3. Why we collect and use workforce information

The purpose of processing this data is to help us run the Trust, including to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Support effective performance management
- d) Inform our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body
- i) Enable the development of a comprehensive picture of the workforce and how it is deployed
- j) Meet audit or statutory requirements e.g. with regard to expenses claims.

4. The lawful basis on which we process this information

We only collect and use personal information about you when the law allows us to.

Most commonly, personal information is collected from you in order to meet and discharge our contractual obligations and statutory duties as your employer.

Less commonly, we may also use personal information about you where you have given us consent to use it in a certain way or where we need to protect your vital interests (or someone else's interests)

If you fail to provide the personal information requested, amongst other things we may not be able to provide you with employment or a service for which you may be entitled / requested.

The legal basis for the use of your personal data will be one or more of the following:

- a) To satisfy our legal obligations and statutory duties as your employer, for example
 - to comply with the Equality Act 2010
 - to comply with DfE statutory guidance [Keeping Children Safe in Education](#) as required by Section 7 in part 3 of [The Education \(Independent School Standards\) Regulations 2014](#) which applies to academies
- b) To carry out a task in the public interest or in the exercise of official authority in our capacity as a Trust.
- c) To meet our contractual obligations in relation to your statement of employment contract with us.
- d) We need to protect your vital interests (or someone else's interests)
- e) We have legitimate interests in processing the data – for example providing data to pensions providers or third party health and wellbeing providers.



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.

5. Collecting workforce information

Workforce data is essential for the Trust's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

We collect this information in a variety of ways. For example, data is collected through application forms; from forms completed by you at the start of or during employment; data collection forms; computer records; signing in/out records; CCTV footage; from your passport or other identity documents such as your driving licence; from correspondence with you; or through interviews, meetings or other assessments (for example, team development / appraisals).

In some cases, we collect personal data about you from third parties. For example, references supplied by former employers and/or information from criminal records checks (known as DBS checks) permitted by law.

6. Storing workforce information

Personal data is stored in a range of different places, including your Trust personnel file, single central records, SIMS, IT systems such as our Payroll processor, and in other IT systems (including the Trust's email system). 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.

The information and is only used for purposes directly relevant to your employment, or for audit and census information.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Trust's Data Retention policy.

7. Who we share workforce information with

We do not share information about you without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- a) other Academies within Attain Academy Trust – as necessary in the performance of our education and employment function
- b) the local authority – to meet our legal duties to share certain information with it, such as safeguarding concerns
- c) The Department for Education – to meet statutory obligations to provide them with information, especially with regard to data returns such as census.
- d) Your family or representatives - in case of emergencies such as a health matter
- e) Educators and examining bodies – as necessary in the performance of our education function
- f) Regulatory bodies such as Ofsted – to enable it to evaluate the education we provide, which is in the public interest
- g) Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll or employee wellbeing

- h) Financial organisations – so that they can provide the services we have contracted them for
- i) Central and local government - to meet statutory obligations and legal duties to provide them with information
- j) Our auditors – to demonstrate that we have taken appropriate action in providing our education service
- k) Survey and research organisations
- l) Trade unions and associations – to assist them in meeting statutory and legal obligations
- m) Health authorities – to comply with our legal and statutory obligations, with investigations and to support legal entitlements
- n) Security organisations – with regard to legal or safeguarding investigations and to assist in crime prevention, detection and prevention of fraud
- o) Health and social welfare organisations – to enable us to comply with our duty of care and statutory safeguarding duties for your wellbeing
- p) Professional advisers and consultants – to comply with entitlements and assist with claims
- q) Charities and voluntary organisations
- r) Police forces, courts, tribunals – in order to uphold law and order
- s) Professional bodies – to verify information for legal purposes
- t) Employment and recruitment agencies - as necessary in the performance of contracts with them.
- u) Third Party Contractors, such as Education Services Solution (ESS) Ltd, edufocus Ltd, CPOMS Systems Ltd and Edufocus Ltd. A full and up to date list for each Academy can be found at any time on the Academy's website.

In the event that we share personal data with third parties, we will provide the minimum amount necessary to fulfil the purpose for which we are required to share the data. We do not sell personal data to any organisation for the purposes of selling products.

8. Why we share personal information

We do not share information about you with anyone without consent unless the law and our policies allow us to do so. Most commonly information is shared with on a legal and public interest basis. In certain instances we may also share information on a consent basis. When you give your consent for your personal information to be held and/or shared for any purpose you can withdraw that consent at any time by contacting the Data Protection Officer (See contact details below).

We may still share your information if we believe that someone is at risk. However, the risk must be serious before we go against your right to confidentiality. If this is the case, we will ensure that we record what information we shared and our reasons for doing so. We will let you know what we have done and why as soon as or if we think it is safe to do so.

9. 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) (England) Regulations 2007 and amendments.

10. Department of Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. This data sharing underpins workforce



policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our workforce members with employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

10. Transfer of personal information outside of the EU

We do not share or store data in countries with no UK-equivalent privacy law protections. If we were to receive a request to send information outside of the UK, additional protection will be applied to the data and where the recipient country is not seen as 'safe' by the UK government, advice will be sought from the Information Commissioners Office prior to the data being sent.

11. Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. You can ask for a copy of the data we hold about you by making a 'subject access request'. If you would like to make a request for your personal information, please submit a request in writing, either by letter or email to the Data Protection Officer (see contact details below), including:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

Depending on the lawful basis above, you may 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 where it produces a legal or similarly significantly effect on you
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

Where the processing of data is based on consent, you have the right to withdraw this consent at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

These rights are further explained in our Data Protection Policy available in the Data Protection section on our website. Anyone wishing to exercise these rights may do so by contacting the academy office or our Data Protection Officer. **Please see the 'Contacts' section below.**

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice

12. Use of your personal data in automated decision making and profiling

We do not currently process any 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.

13. Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting dpo@attain.essex.sch.uk.

14. 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.

To make a complaint, please contact our data protection officer. (See contact details below).

If you still have concerns following our response you have the right to raise the matter directly with the Information Commissioner's Office:

Online	https://ico.org.uk/concerns/
Postal Address	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Email	https://ico.org.uk/concerns/handling/
Phone Number	0303 123 1113

15. Contact

If you would like to discuss anything in this privacy notice or make a Subject Access Request, please contact the Data Protection officer:

Data Protection Officer	Mrs Ellwood
Postal Address	Attain Academy Partnership, c/o Newlands Spring Primary and Nursery School, Dickens Place, Chelmsford CM1 4UU
Email	DPO@attain.essex.sch.uk

Please ensure you include the name of the Academy in all correspondence with the DPO

16. Last updated

We may need to update the privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on **25 February 2022**



Appendix 1: How government uses your data

The workforce data that we lawfully share with the DfE through data collections: informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce links to school funding and expenditure supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the department

The Department 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 Department 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 the 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.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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