

## *Christian Education with Care*

Headteacher – Mrs V Shelley Deputy Headteachers – Mrs L Henden and Mr F Peacock

### **Workforce Privacy Notice**

#### **Policy Statement**

We are Blue Coat Church of England School. During an individual's time with us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after they have left the school. Anything that we do with an individual's personal data is known as "processing".

This document sets out what personal data we will hold about our workforce, why we process that data, who we share this information with, and the rights of individuals in relation to their personal data processed by us.

#### **What information do we process in relation to our workforce?**

We will collect, hold, share or otherwise use the following information about our workforce:

- personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details)
- contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records)
- qualifications/training courses attended and, where relevant, subjects taught (such as training record)
- performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- other information (such as pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and images, photographs/videos)

We will also use special categories of data including such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, political opinions, trade union membership,

information about health, genetic information and biometric data. These types of personal data are subject to additional requirements.

### **Where do we get information from about our workforce?**

A lot of the information we have about our workforce comes from the individuals themselves. However we may also obtain information from tax and regulatory authorities such as HMRC, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publically available resources including online sources. In addition we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems, CCTV and access control systems, communications systems, remote access systems, email and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

### **Why do we use this information?**

We will process the personal data of our workforce for the following reasons:

1. Where we are required by law, including:
  - To comply with the law regarding data sharing (see further below)
  - To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS
  - To comply with legal requirements in relation to equalities and non-discrimination
2. Where we are required by any contract with our workforce, such as employment contracts, including:
  - To make payments to our workforce, such as salary payments
  - To deduct tax and National Insurance contributions
  - To make a decision about recruitment
  - To check individuals are legally entitled to work in the UK
  - Administering employment contracts
  - Conducting performance and/or attendance reviews
  - Making decisions about salary and compensation
  - Liaising with pension providers
  - Providing the following benefits:
    - Childcare vouchers
    - Cycle to work scheme

- To administer and pay trade union premiums and register the status of a protected employee
3. Where the law otherwise allows us to process the personal data, or we are carrying out a task in the public interest, including:
    - To enable the development of a comprehensive picture of the workforce and how it is deployed
    - To inform the development of recruitment and retention policies
    - To safeguard our pupils and other individuals
    - To ensure safe working practices
    - In the interests of ensuring equal opportunities and treatment
  4. Where we otherwise have the consent of the individual

Whilst the majority of processing of personal data of our workforce will not require consent, we will inform individuals if their consent is required and seek that consent before any processing takes place. In the limited circumstances where individuals have provided their consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw their consent for that specific processing at any time. To withdraw their consent, they should contact Jane Durkin – Executive Business Manager.

### **Why do we use special category personal data?**

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational medicine in order to assess an individual's working capacity and/ or the need for reasonable adjustments.
4. Where we otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

### **Failure to provide this information**

If our workforce fail to provide information to us then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

## **How long will we hold information in relation to our workforce?**

We will hold information relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information. For further detail please see the Information and Records Management Society Retention Guidelines for Schools.

## **Who will we share information with about our workforce?**

We routinely share information about our workforce with:

- Local authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education[and/or the ESFA], in compliance with legal obligations of the school to provide information about our workforce as part of statutory data collections
- Contractors, such as payroll providers, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP regarding tax payments and benefits
- Our professional advisors including legal and HR consultants
- Other schools to which a child transfers after leaving Blue Coat; i.e. we may transfer safeguarding records to that school for child protection reasons. Those safeguarding records may include information about Blue Coat staff member involvement in supporting that child.

The Department for Education may share information that we are required to provide to them with other organisations. For further information about the Department's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.

Contact details for the Department can be found at <https://www.gov.uk/contact-dfe>.

## **International Transfers outside the European Economic Area**

- Our payroll provider processes personal information in the context of a Processor. They hold the personal information we give them in a recognised Data Centre in Manchester, England. They obtain support services from a sub-contractor based in India. They state a GDPR compliant data processing agreement is in place, and that adequate safeguards are in place to protect the personal data being transferred through the adoption of standard contractual clauses which have been approved by the European Commission. No physical transfer of customer personal data takes place during the provision of such support services. Controlled remote access is granted to staff in India only for the limited purpose of providing support services where our payroll provider is unable to provide the support services itself.
- Our finance system provider is a New Zealand based company which processes personal information in the context of a Processor. The personal data we give them is held in the United States. In the absence of Privacy Shield, they rely on a combination of measures to ensure compliance with EU data export rules, including Model Clauses. Blue Coat has reviewed and signed an EU Data Processing Agreement addendum which demonstrates how the provider complies with GDPR. The personal data includes supplier contact and

bank details, scanned copies of invoices, employee names and bank details (for expense claims), student names and bank details (for 6th form bursary payments), school bank transactions (which include cheque details, names of beneficiaries and payment details) and the names of school charge card holders and their transaction records.

- Our school payments provider processes personal information in the context of a Processor. They obtain service desk and support ticket services from an ISO27001 certified organisation storing data in the United States. The personal data processed includes name, email address, telephone number, and the content of Support tickets. They also obtain email distribution services from a SOC2 compliant organisation, storing data in the United States. The personal data processed includes email addresses and the content of emails. The school payments provider stated that for their suppliers in the United States, they ensure their suppliers are compliant with the EU – US Privacy Shield, and that they require them to sign a Data Processing Agreement.
- Our school communications provider processes personal information in the context of a Processor. They obtain email distribution services from a SOC2 compliant organisation, storing data in the United States. The personal data processed includes email address and the content of emails. They also use a second organisation who store data in the United States for the purpose of providing backup marketing email distribution. The personal data processed are email addresses. The school communications provider stated that for their suppliers in the United States, they ensure their suppliers are compliant with the EU – US Privacy Shield, and that they require them to sign a Data Processing Agreement.
- The school uses the Pearson Activelearn system. Pearson process personal data in the context of a Processor. The personal data we give them may be transferred outside the European Economic Area. Pearson stated they have entered into an intercompany data processing agreement using the European Commission standard contractual clauses (in the absence of an adequacy decision) for data transfers to their group companies located outside of the EEA. They rely on adequacy decisions or any adequate data transfer mechanisms adopted by the European Commission or a supervisory authority from time to time for transfers to third parties located in countries outside of the UK or the EEA. The personal data processed about school staff is first name, last name, school email address, school name, and groups the staff member teaches. For the purpose of data minimisation, we will not provide Pearson with staff date of birth.

### **Rights of our workforce in relation to their personal data**

All of our workforce have the right to request access to personal data that we hold about them. To make a request for access to their personal data, individuals should contact:

Jane Durkin – Executive Business Manager

Please also refer to our Data Protection Policy for further details on making requests for access to workforce information.

Individuals also have the right, in certain circumstances, to:

- Object to the processing of their personal data
- Have inaccurate or incomplete personal data about them rectified
- Restrict processing of their personal data

- Object to the making of decisions about them taken by automated means
- Have your data transferred to another organisation
- Claim compensation for damage caused by a breach of their data protection rights

If an individual wants to exercise any of these rights then they should contact Mrs Vicki Shelley – Head Teacher. The law does not oblige the school to comply with all requests. If the school does not intend to comply with the request then the individual will be notified of the reasons why in writing.

### **Concerns**

If an individual has any concerns about how we are using their personal data then we ask that they contact our Data Protection Officer in the first instance. However an individual can contact the Information Commissioner's Office should they consider this to be necessary, at <https://ico.org.uk/concerns/>.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact:

Mr. Hewitt