

Privacy Notice

Workforce

1. Introduction

We collect and use the personal information of employees, prospective employees, agency staff and contractors so that we can operate effectively as a Trust and meet our legal obligations.

This privacy notice explains how we collect, store and use (i.e. process) your personal information, before, during and after your working relationship with us. It also lets you know what rights you have in relation to our processing of your personal information.

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

Trust Data Protection Lead:	Tracey Stratton, Chief Operations Officer, Propeller Academy Trust dpo@propellertrust.org 01235 764504
Data Protection Officer:	Nicola Cook, SchoolsDPO Ltd nicola@schoolsdpo.com 01296 658502

2. The categories of workforce information we process includes:

- **Personal identifiers and contacts**, e.g. name, employee or teacher number, national insurance number, contact details and address, identification documents, photographs, CCTV images
- **Characteristics**, e.g. gender, ethnicity, health and medical information, any accident records, any declared criminal convictions
- **Emergency contacts**, e.g. next of kin, emergency contacts and contact details
- **Contractual information**, e.g. start date, hours worked, role and scale/grade, salary, pension, and benefits
- **Employment records**, e.g. employment and education history, qualifications, training records, work absence, performance and disciplinary records, professional organisation memberships (in order to process salary deductions for which you have given consent)
- **Information** derived from monitoring IT acceptable use standards
- **Recruitment information**, e.g. application, identity and right to work checks, copy of passport or similar photographic identification, references
- **Publicly available information** obtained from online searches on candidates shortlisted for interview
- **Payroll information**, e.g. bank account details, payroll records and tax status information.

3. Why we collect and use workforce information

We collect and use your personal information for the following purposes:

- a. Carry out the contract we have with you, provide you with access to the services required for your role and manage our human resources processes
- b. Assess your performance, to conduct pay and grading reviews and to deal with any employer/employee related disputes. We also use it to meet the training and development needs required for your role
- c. Assess your compliance with school/Trust policies and procedures and to ensure the security of our premises, IT systems and employees
- d. Comply with our legal obligations and for equal opportunities monitoring. We also use it to ensure the health, safety, and wellbeing of our employees
- e. Develop a comprehensive picture of our workforce and how it is deployed
- f. Inform the development of recruitment and retention policies.

4. Collecting workforce information

We collect workforce information in a variety of ways:

- Directly from individuals themselves * see below for additional information for candidates shortlisted for interview
- From referees, either external or internal
- From Occupational Health and other health providers
- From pension administrators and other government departments, e.g. Tax details from HMRC
- From mandatory pre-employment vetting checks through our DBS provider and the Department for Education
- From a professional organisation
- From an employment agency or employer
- CCTV images taken using our own CCTV systems

* Shortlisted candidates

If you are shortlisted for interview, we will ask you to complete a self-declaration of criminal record or other information that would make you unsuitable for work with children:

For example:

- if you have a criminal history
- if you are included on the children's barred list
- if you are prohibited from teaching
- if you are prohibited from taking part in the management of an independent school
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in your country of origin or where you were convicted
- if you are known to the police and children's local authority social care
- if you have been disqualified from providing childcare
- any relevant overseas information.

The purpose of this self-declaration is so that you have the opportunity to share relevant information and this can then be discussed and considered at interview, before a DBS certificate is received.

In addition, we will carry out online searches on shortlisted candidates so that we have the opportunity to explore any incidents or issues that are publicly available online, during the interview process.

Whilst the majority of information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain Trust workforce information or if you have a choice on this.

5. Storing workforce information

Physical and electronic records are held for each member of staff. Information is held securely on our management information systems and on our Trust/school premises.

We hold workforce information in line with our retention schedule which can be accessed at [The Propeller Academy Trust - GDPR and KCSIE \(propellertrust.org\)](https://propellertrust.org)

6. Who we share workforce information with

We routinely share workforce information with:

- Our Local Authority to support it in meeting its statutory duties
- The Department for Education, e.g. statutory data collections (see Appendix One for information on how the DfE uses your information)
- Our Disclosure and Barring Service (DBS) checks provider
- The Teaching Regulation Agency
- The Teachers' Pension Service
- The Local Government Pension Scheme
- Our IT and payroll providers
- Educational software providers
- External auditors.

We do not share information about our workforce with anyone without consent unless the law and our policies allow us to do so.

When we share workforce information with third parties, we will always ensure that we share the minimum amount of information necessary for the purpose of the sharing. We will also require them to keep your personal information secure and to treat it in accordance with data protection law.

7. The lawful basis on which we use workforce information

Our Trust, as a data controller, needs to comply with the UK's General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018. We are required to ensure we have a lawful basis under the GDPR for any processing we carry out on personal data.

Under Article 6 of the GDPR the lawful bases we rely on for processing workforce information are:

- We need to comply with a **contractual obligation**, e.g. paying salaries
- We need to comply with a **legal obligation**, e.g. DfE data returns
- We need to meet our **public task** of running our Trust and keeping everyone safe
- We have a **legitimate interest**
- We have obtained **consent** to use personal information in a certain way
- We need to protect someone's life (**vital interests**) in an emergency.

Our lawful bases under the GDPR for the purposes listed in the section above are as follows:

- a. Carry out the contract we have with you, provide you with access to the services required for your role and manage our human resources processes - **contractual obligation**
- b. Assess your performance, to conduct pay and grading reviews and to deal with any employer/employee related disputes. We also use it to meet the training and development needs required for your role - **legal obligation, public task**
- c. Assess your compliance with school/Trust policies and procedures and to ensure the security of our premises, IT systems and employees - **public task**
- d. Comply with our legal obligations (such as the submission of the annual school workforce census) and for equal opportunities monitoring. We also use it to ensure the health, safety, and wellbeing of our employees - **legal obligation, public task**
- e. Develop a comprehensive picture of our workforce and how it is deployed - **public task**
- f. Inform the development of recruitment and retention policies and procedures, as well as our safer recruitment practice - **public task**

Some personal information requires extra protection because it is considered more sensitive. This includes race, ethnicity, religious beliefs, medical conditions, genetic information, and biometric data.

Under Article 9 of the GDPR, if we are processing special category data, we will also rely on one of the following lawful conditions:

- To meet our **obligations as a data controller, or those of data subjects**, in connection with employment, social security and social protection
- For reasons of **substantial public interest**, keeping our workforce safe and ensuring **equality of opportunity/treatment**
- To establish, exercise or defend **legal claims**
- To protect someone's life (**vital interests**) in an emergency

- We have **explicit consent**.

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1 part 1, paragraphs 1, 8 and 18.

These relate to the processing of special category data for employment purposes, safeguarding and equality of opportunity/treatment. Our Appropriate Policy Document provides more information about this processing. [The Propeller Academy Trust - GDPR and KCSIE \(propellertrust.org\)](https://propellertrust.org)

8. The lawful basis of consent

Whenever we rely on consent, it must be freely given, informed and clear. Consent can be withdrawn at any time by contacting the Trust lead (details on the first page).

9. Criminal convictions and offences

We process information about staff criminal convictions and offences under Article 10 of the GDPR because we are required by law to carry out enhanced DBS checks as part of our recruitment processes.

The GDPR Article 6 lawful bases we rely on to process this data are:

- Performance of our **public task**
- Performance of a **contract**.

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1:

- Part 2, para 6(2)(a)
- Part 1, para 1.

These relate to the processing of criminal offence data for statutory and employment purposes, respectively. See Part 3 of [Keeping Children Safe in Education](#) for more information.

Our Appropriate Policy Document provides more information about this processing. [The Propeller Academy Trust - GDPR and KCSIE \(propellertrust.org\)](https://propellertrust.org)

10. Your Data Protection Rights

Under the GDPR you have the right to request access to the information about you that we process (a **subject access request**). To make a request for your information please contact the Trust lead (details on the first page).

You also have the right to:

- Have your personal data corrected if it is inaccurate or incomplete
- Request the deletion or removal of personal data where there is no compelling reason for its continued processing

- Restrict the processing of your personal data (i.e. permitting its storage but no further processing)
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect upon you.

For more information on how we handle subject access requests, please see our Data Protection Policy. [The Propeller Academy Trust - Statutory Policies \(propellertrust.org\)](https://propellertrust.org)

11. How you can help us

As a Trust, we have limited staff resources within schools outside of term time. It is really helpful if members of our workforce to submit subject access requests during term time and not too close to the end of term. This will support us in responding as quickly as possible to your request, which we always want to do.

12. Any concerns

We take any concerns about our collection or use of personal information very seriously, so please contact us (details on first page) to raise any concerns in the first instance.

If you remain concerned, having done this, you have the right to raise your concerns with the Information Commissioner's Office:

<https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

Call: 0303 123 1113

Ratified by the Board of Trustees 17th July 2024

13. Appendix One - Department for Education

(Information provided by the DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our Trust workforce with the DfE.

For example, we are required to share information about our Trust employees with the DfE under Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 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.

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 Trust 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 Trust 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 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 are 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 are 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:

[Personal information charter - Department for Education - GOV.UK](#)

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