

## **PRIVACY NOTICE FOR STAFF**

Under data protection law, individuals have a right to be informed about how Horizons Specialist Academy Trust (“the Trust”) uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at the Trust’s academies.

We, Horizons Specialist Academy Trust, are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer is Alison Ascough (see ‘Contact us’ below).

### **The personal data we hold**

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

- Contact details
- Date of birth, marital status, gender
- Next of kin and emergency contact numbers
- Contract information, such as salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- CPD information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence and car insurance
- Photographs
- CCTV footage
- Data about your use of the Trust’s information and communications system

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):

- Race, ethnicity, religious beliefs, disability and sexual orientation
- Trade union membership (for those staff who pay through the payroll)
- Health, including any medical conditions, and sickness records

### **Why we use this data**

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

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Allow reasonable adjustments to be made to the working environment

### **Our lawful basis for using this data**

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

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.

## **Collecting this information**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

## **How we store this data**

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Records Management Policy. If you would like a copy, you can either access the policy in the staff shared area – Horizons shared: Policies: HSAT Statutory Policies or request a copy via the Data Protection Officer.

## **Data sharing**

We do not share information about you with any third party 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:

- Relevant local authorities – under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments - to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education (DfE) – under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments - we are required to share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation and links to school funding/expenditure and the assessment of educational attainment.
- Your family or representatives
- Educators and examining bodies
- Our regulator, ie Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll, management information systems
- Financial organisations
- Central and local government
- Our auditors
- Trade unions and associations
- Health authorities
- Security organisations

- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

### **How the government uses your data?**

The workforce information that we lawfully share with the DfE through data collections:

- Informs the DfE's policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- Links to school funding and expenditure
- Support longer term research and monitoring of educational policy

You can find more information about the data collection requirements placed on us by the DfE by following this link <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

The DfE may share your information with third parties who promote the education or wellbeing of pupils or the effective deployment of staff by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of personal information is maintained and there are controls in place regarding access to and use of the information. The DfE makes decisions on whether it will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information?
- The purpose for which the information is required
- The level and sensitivity of the information requested
- The arrangements in place to securely store and handle the information

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

### **How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data
- For a description of the data it holds about you
- The reasons it is holding your data and any recipient it may be disclosed to
- For a copy of your personal data and any details of its source

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link

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

You can also contact the DfE directly using its online contract form by following this link

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

## **Transferring data internationally**

In the event that we need to transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **Your rights**

### **How to access personal information we hold about you**

Individuals have a right to make a **'subject access request'** to gain access to personal information that the Trust holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Request access to the information held about you
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer. Please note, any subject access request will be actioned within one month, unless it is particularly complex, however during school holidays this may become more difficult as some staff who are holding data may not be in school.

### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used for direct marketing purposes
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

### **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.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

- Alison Ascough, Horizons Specialist Academy Trust, Ketton Road, Stockton on Tees, TS19 8BU. Tel: 01642 677113. Email: [DPO@horizonstrust.org.uk](mailto:DPO@horizonstrust.org.uk)