



# Privacy Notice for Staff (Colleagues)

Document title	Privacy Notice for Staff (colleagues) – How we use your information		
Owner	Human Resources Operations Team HROT		
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Purpose	This privacy notice informs staff (including trustees, local governors, volunteers, work experience students, certain contractors, agency staff and applicants) how their personal information is used by the Trust.		
This policy links to:	GDPR		

If you would like this information in another language or format, please speak to the Trust Human Resources.

Phone: 01543 622433

## **1.0 Introduction**

- 1.1 St Chad's Academies Trust and its associated academies are referred to in this notice as the **academy trust** or **we**. This notice is to help you understand **how** and **why** the academy trust collects your personal data and what we do with that information. It also explains the decisions that you can make about your personal data. The academy trust is responsible for how your personal data is used under data protection law.
- 1.2 This Notice is aimed at all staff working in the academy trust (whether directly or indirectly), whether paid or unpaid, whatever their position, role or responsibilities including employees, trustees, local governors, certain contractors, agency staff, peripatetic staff, students, volunteers and applicants for employment vacancies.
- 1.3 This notice does not form part of your contract of employment (or, in the case of volunteers, the volunteer agreement) and the academy trust may amend this notice at any time.

## **2.0 What is "personal data"?**

- 2.1 Personal data is information about you from which you can be identified (either directly or indirectly).
- 2.2 This includes your contact details, emergency contact details and financial information. CCTV images, photos and video recordings of you are also your personal data.

## **3.0 What personal data does the academy trust hold about you and how is this obtained?**

- 3.1 Information about you is gathered during the recruitment process, for example:
- when you provide information to us, for example, on your application form and during any interviews.
  - when we obtain information from publicly available sources such as your professional and social media profiles. For example, information about any volunteering positions you hold or any hobbies; and
  - when we receive your personal data (from you and third parties) in carrying out pre-employment checks, for example, when we receive references, confirmation of your fitness to work, your right to work in the UK and criminal records checks.
- 3.2 We will hold information about your performance. This includes information about skills, achievements, career progression, performance, and disciplinary related matters.
- 3.3 We hold and use your financial information, such as your bank details, your salary and pension details.
- 3.4 We will hold information about any physical or mental health condition you may have which is disclosed to us during the recruitment process or at any other stage of your involvement with the academy trust.
- 3.5 Your personal data will be created internally by us during the course of your employment or whilst you are volunteering with the academy trust. An email from the Headteacher to you complimenting you on your class management would be an example of this.

- 3.6 Your personal data may be acquired from outside of the academy trust, such as from occupational health practitioners or from public authorities such as the police or the Local Authority Designated Officer.
- 3.7 Pupils will often provide us with your personal data, for example, if a pupil emails their teacher to say how much they are helping them with their work.
- 3.8 Your personal data will be held on the academy trust's Single Central Record, which is administered by third parties on the academy trust's behalf.

#### 4.0 The purposes for which we use your personal data and the lawful bases

4.1 We use your personal data to:

- Make sure that you are complying with your employment obligations (if you are an employee) and that the academy trust is complying with its employment obligations.
- Look after your welfare and development and the welfare and development of others such as our pupils.
- Provide an education to pupils.
- Enable us to comply with its legal obligations, to assist us regarding the management and operation of the academy trust and to advance and protect the academy trust's interests, objects and reputation; and
- Fundraise, market and promote the academy trust. For example, by using photos of our staff in the academy trust prospectus, on the academy trust's website or in social media.

4.2 Our lawful bases for using your personal data:

**Contract:** We need to use your personal data in order to comply with our contractual obligations and for you to perform your obligations as well. This includes where you have asked us to do something before entering into a contract. If we do not have a contract with you, for example, if you are a local governor or trustee, we will not rely on the contractual basis to use your information.

**Legitimate interests:** This means that the academy trust is using your personal data where this is necessary for the academy trust's legitimate interests or someone else's legitimate interests except when your interests and fundamental rights override our legitimate interests. We have a legitimate interest in using your information to:

- Promote what we do including fundraising and publicity.
- Preserve historical records.

**Public task:** This allows us to use personal data where doing so is necessary in order to perform a task in the public interest or to exercise one of our functions or powers as an academy trust. This basis applies when we use personal data in order to educate and look after our pupils. This means that this basis applies when we use personal data for the purposes set out in paragraphs 3.6 to 3.8 above.

**Legal obligation:** As an academy trust we have to comply with various laws, and this entitles us to use your personal data where necessary to do this. For example, to fulfil our child protection and safeguarding duties towards pupils.

**Vital interests:** In limited circumstances we may use your personal data to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

4.3 The section below contains more information about our purposes for using your personal data and the lawful bases.

## 5.0 Our purposes and lawful bases in more detail

5.1 This section contains more detail about the purposes for which your personal data is used, the applicable lawful basis, or bases, as well as further information about sources and recipients. It does not say anything different to what is set out above but goes into more detail.

5.2 We have used a colour coded system so that you can see which bases we are relying on for each of the purposes described in paragraph 15 above. **LI** means legitimate interests, **CT** means contract, **PI** means public task, **LO** means legal obligation and **VI** means vital interests. So if we have **LI, PI** that means we are relying on both legitimate interests and public task for that purpose.

5.3 We commonly use personal data for:

- Providing education and support to our pupils (**PI**);
- Fulfilling our safeguarding and child protection duties towards pupils and others (**PI, LO**);
- Ensuring that we provide a safe and secure work environment (**PI, CT, LO**);
- If you are an employee, providing employment services (such as payroll) (**CT, PI**);
- If you are an employee, to pay you a salary and to provide contractual benefits (**CT**);
- Reimbursing your expenses (**CT**);
- Providing supervision, training and support (**PI, CT**);
- Protecting and promoting the academy trust's interests and objectives (including fundraising) (**LI** or **PI**) depending on the nature and context of the use of your personal data;
- Personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer. For example, to pay staff and to monitor their performance (**CT, LO, PI**);
- Safeguarding and promoting the welfare of staff, pupils and others. This includes equal opportunities monitoring (**LO, PI**);
- Making sure that you are complying with your obligations (**CT, LO, PI**); and
- Fulfilling our contractual, statutory and other legal obligations (**CT, LO, PI**).

5.3 Some specific examples of when we use your personal data are set out below:

- We use your personal data to consider your suitability to work in your role at the academy trust or volunteer at the academy trust, for example we will receive references about you. Any references that we provide or receive will be treated as confidential which means that you will not usually be provided with a copy (**LO, PI**).

- We will carry out online searches on shortlisted candidates as part of our due diligence and in accordance with our safeguarding obligations. This is to help us identify any incidents or issues that have happened, and are publicly available online, which we might want to explore with you at interview (PI, LO).
- We will check that you have the right to work in the UK by reviewing your identification documents and keeping copies on your personnel file (LO, PI).
- We will use your personal data in addressing any performance or disciplinary concerns which arise (PI).
- We will use your personal data in order to fulfil our duty of care to you and colleagues. This includes using information relating to any medical condition you may have in order to verify fitness to work, monitor sickness absence and comply with our duty of care towards you and others (CT, LI, LO).
- We will use your personal data when dealing with any complaints and grievances with which you are involved (e.g., from other staff, pupils and parents) (PI).
- Where appropriate, the academy trust will have information about your religious beliefs and practices to help the academy trust accommodate your needs. For example, if you do not eat certain foods (LI.)
- We will use your personal data to ensure the security of our sites which may involve issuing you with a photocard (PI).
- We often use photos and video recordings of staff, for marketing and promotion purposes. This will include in academy trust publications, in social media and on our websites (PI). We may also use images of you to advertise our commercial activities, e.g. when we hire out our sports hall (LI). We may occasionally speak to you if the image is being used in a more unusual or high-profile way.
- We will also allow external publication of certain media where appropriate (for example, a photo or article in a local newspaper) (PI).
- We may also make recordings for teaching purposes, for example, recording a drama lesson to provide feedback to you or pupils. We may also record lessons for pupils who were not able to attend in person (PI.)

5.4 We use CCTV for the purposes of crime reduction, detection, and prevention, to help keep our sites safe and to support the protection of property from criminal activities such as vandalism and theft. We may also use CCTV recordings in connection with our obligation to safeguard the welfare of pupils, parents, colleagues, and visitors, to aid in the investigation of accidents, incidents and breaches of our rules and policies and to assist us with our health and safety obligations. Sometimes CCTV recordings are used in relation to incidents and accidents (for example, involving vehicles in the car park). Further information about the use of CCTV can be found in our CCTV policy (a copy of which is published on our website here [• link]) (PI).

5.5 The academy trust regularly monitors and accesses its IT systems for purposes connected with its operation. The IT system includes any hardware, software, email account, computer, device or telephone provided by the academy trust or used for academy trust business or operations. The academy trust may also monitor staff use of the academy trust telephone system and voicemail messages. Staff should be aware that the academy trust may monitor the contents of a communication (such as the contents of an email) (PI).

- 5.6 The purposes of such monitoring and accessing include:
- To help the academy trust with its day-to-day operations. For example, if a member of staff is on holiday or is off sick, their email account may be monitored in case any urgent emails are received (PI); and
  - Check staff compliance with the academy trust's policies and procedures and to help the academy trust fulfil its legal obligations. For example, to investigate allegations that a member of staff has been using their email account to send abusive or inappropriate messages (PI).
- 5.6 Monitoring may be carried out on a random basis and it may be carried out in response to a specific incident or concern (PI).
- 5.7 The academy trust also uses software which automatically monitors the IT system (for example, it would raise an alert if a member of staff visited a blocked website or sent an email containing an inappropriate word or phrase) (PI).]
- 5.8 The monitoring is carried out by Broken Stones, part of the Rydal Group Ltd for Central Team staff and other suppliers at academy level. If anything of concern is revealed as a part of resource monitoring, then this information may be shared with the academy Trust and this may result in disciplinary action. In exceptional circumstances, concerns will need to be referred to external agencies such as the police (PI).
- 5.9 We may use your personal data when ensuring network and information security, for example, our anti-virus software might scan files containing information about you (PI).
- 5.10 We will send you information about how to support the academy trust, for example fundraising opportunities] (LI).
- 5.11 If we provide you with accommodation under your contract of employment we will use your personal data as part of this provision (CT, PI).
- 5.12 We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes. This includes our legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the academy trust and our school's wider identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use. For example, we keep some old photos so that we have a record of what our schools were like in the past.
- 5.13 Information held in our archive may be made publicly available, but this would only be done in compliance with data protection laws (LI, PI).
- 5.14 We may use your personal data in connection with legal disputes. For example, if a parent or former pupil brings a claim against the academy trust (CT, PI, LO).
- 5.15 We will also hold information such as your religion or ethnic group for the purposes of your employment (CT)
- 5.16 We will use your personal data to take other steps to make sure the academy trust site and buildings are safe, for example, we keep a record of who is on the site at any given time] (PI).

- 5.17 We may use your personal data in order to help make the academy trust better, for example, to raise money for the academy trust, or to send you information about how you can donate to the academy trust (L).
- 5.18 We may use your personal data in connection with legal disputes (PI, LO).
- 5.19 We will hold information about any protected characteristics you may have (e.g. in relation to a disability). This helps us make reasonable adjustments (PI, LO).

## 6.0 Sharing Personal Data with Others

- 6.1 We will share your personal data with government bodies and regulators. For example, with:
- The Disclosure and Barring Service (DBS), [Walsall Metropolitan Borough Council] and / or the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership) (if applicable) when complying with our legal duty to carry out pre-appointment suitability checks (LO, PI); and
  - The Teaching Regulation Agency if circumstances arise in which we are either required to make a referral to either or both of these bodies or we consider it to be appropriate in the circumstances to do so (LO, PI).
- 6.2 Where you are employed by us in order to fulfil our obligations to you as an employer, we will need to share your personal data with medical professionals, such as occupational health services, where we are making a referral (CT, PI).
- 6.3 Occasionally we may use consultants, experts and other advisors (including legal advisors and accountants) to assist us in fulfilling our obligations and to help run the academy trust properly. We will share your personal data with them if this is relevant to the work they carry out (PI).
- 6.4 We will share information with Ofsted, for example, during the course of an inspection, and may need to share your personal data with the Department for Education (LO, PI).
- 6.5 If you apply to work for us and we offer the position to someone with a sponsored Religious Worker or Creative Worker visa instead, we have to keep your contact details and why we offered the position to the successful candidate instead. We may be required to share this information with UK Visas and Immigration (LO, PI).]
- 6.6 Before we employ you we must check if you can work in the UK. In certain circumstances we will have to provide information about you to UK Visas and Immigration to comply with our duties under the UK's legislation on preventing illegal working. Additionally, if you are sponsored by us under a Skilled Worker or Temporary Worker visa we will have to provide information about you to UK Visas and Immigration to comply with our duties as a sponsor (LO, PI).
- 6.7 We may share some information with our insurance company and broker to make sure that we have the insurance cover that we need or in connection with an actual or possible claim (PI).
- 6.8 We may share your personal data with benefits providers, for example, to ensure that you are able to take advantage of the benefit (if applicable) (CT, PI).
- 6.9 We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the academy trust (LO, PI).
- 6.10 We may need to share your personal data with the Education and Skills Funding Agency e.g. if we need to make a serious incident report or with other regulators e.g. the ICO (LO, PI).

If we are dealing with a request for information, query, complaint or grievance (e.g. from a colleague or a parent) we may need to share your personal data with other parties if it is relevant and appropriate to do so. For example, this might be with the relevant colleagues, pupils, parents, local governors, trustees (LO, PI). We will also share information with others in the academy trust, such as your line manager, local governors, trustees, for example, if it would be appropriate to inform them about something which has happened (LO, PI).

- 6.12 Some of the records the academy trust keeps, and which contain your personal data, may be used by us (or by someone else such as the government) to check that the schools we operate continue to be good schools (PI).
- 6.13 We may share information about you with (and get information from) health authorities, providers of healthcare services and healthcare professionals, for example, in relation to pupil immunisations. (LO, PI).
- 6.14 We may share your personal data with other schools, for example, if this is necessary to comply with our safeguarding obligations (LO, PI).
- 6.15 We may share your personal data with the other academies in the academy trust. For example, information about which pupils you teach and / or information relating to the pre-employment checks the academy trust has carried out (PI).
- 6.16 If ever in the future we are considering restructuring the academy trust (by way of merger/ transfer of an academy or otherwise), we may share your information with the other parties involved (such as the local authority, the Department for Education and/or the other academy trust/school(s) involved) and with the relevant professional advisors (LO, PI).
- 6.17 In the event of a transfer of the academy that you work for to another academy trust, your personal data would be shared with the incoming academy trust as part of that process (PI).
- 6.18 We will share personal data about staff with the relevant statutory agencies if it is appropriate to share this information to investigate allegations of misconduct (LO, PI).
- 6.19 We may need to share your personal data with the Local Authority Designated Officer in accordance with our safeguarding obligations (LO, PI).
- 6.20 On occasion, we may need to share your personal data with the police for the prevention or detection of crime or the apprehension or prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations. Sometimes CCTV recordings may be disclosed to third parties such as the police (LO, PI).
- 6.21 If appropriate, we will share your personal data with parents and pupils where this is related to your professional duties, such as information about the subjects you teach (LO, PI).
- 6.22 We may need to share your personal data if there is an emergency, for example, if you are hurt in an accident (LO, PI).
- 6.23 If you are an employee, we may need to provide your personal data to a pension provider so that you can benefit from your pension entitlement and in order that employer pension contributions can be made (CI, LO).
- 6.24 We will need to share your personal data in accordance with our safeguarding obligations if asked to provide a reference about you by a school or college (LO). If we are asked to provide a reference by an organisation that is not a school or college our lawful basis is (usually LI but could be PI). Please

note that references will be provided in confidence, and we will not usually provide you with a copy of the reference.

- 6.25 As you will see from the above, in some cases we will rely on more than one lawful basis above for a particular use of your information.
- 6.26 We use service providers (known as processors) to handle personal data on our behalf for the following purposes:
- IT consultants who might access information about you when checking the security of our IT network];
  - We use software, apps and websites to help us with teaching, and to help us provide pastoral support to our pupils. For example, if we use an app which allows pupils to access homework which has been set by their teachers; and
  - If We use third party "cloud computing" services to store some information rather than the information being stored on hard drives located at our sites.
  - If you have any questions about any of the above, please speak to the Data Protection Officer.
- 6.27 We will share your personal data with the trustees of the academy trust, and the local governors of the academy that you work at, if it concerns something it would be appropriate to tell them about for the purposes set out in this notice, including information which will enable them to fulfil their role as a trustee or local governor (PI).
- 6.28 If you are involved in a consultancy role with The Academy trust then we will also share your personal data with academies. In most cases this will be limited to your name, job title and role. However, the academy may provide feedback on your work and performance, particularly if you are doing a lot of work for the academy (LI, PI).
- 6.29 Anyone that we share information with may give us information about you as well.

## **7.0 Transfers of your personal data overseas**

- 7.1 When the academy trust sends personal data outside of the UK, we have to consider if the other country has the same level of protection for personal data as there is in the UK. Some countries are considered by the UK Government to have adequate rules, and this includes all of the European Union and some other countries, such as New Zealand, Norway, Switzerland and Argentina.
- 7.2 The academy trust sends your personal data to countries with adequate rules when we:
- go on a trip to France and share your personal data with activity providers and the hotel; and
  - store your personal data in cloud computer storage with servers in Ireland.
- 7.3 We do not send your personal data to countries which do not have the same level of protection for personal data as there is in the UK
- 7.4 We will provide you with additional details about where we are sending your personal data, whether the country has an adequacy finding and if not the safeguards which we have in place outside of this privacy notice.
- 7.5 If you have any questions about the safeguards that are in place, please contact the Data Protection Officer.

## **8.0 For how long does the academy trust keep staff personal data?**

- 8.1 We keep your personal data for as long as we need to in relation to your employment. We will keep some information after you have left the academy trust in case this is needed, for example, in relation to our legal obligations.
- 8.2 In some cases, we may keep your personal data for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.
- 8.3 Please see our Information and Records Retention Policy for information on how long we keep your personal data for.

## **9.0 Processing in line with your rights**

- 9.1 Data protection legislation gives you a number of rights in your information. Your rights are as follows:

**Correction:** if information the academy trust holds about you is incorrect or incomplete you can ask us to correct it.

**Access:** you can also ask what information we hold about you and be provided with a copy of it. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and who we have sent it to.

**Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.

**Portability:** you can request the transfer of your personal data to you or to a third party in a format that can be read by computer.

**Restriction:** you can request that we restrict how we use your personal data.

**Object:** you may object to us using your personal data where:

- We are using it for direct marketing purposes e.g. to send you an email about a fundraising opportunity
- The lawful basis on which we are relying is either legitimate interests or public task. Please see the section "The purposes for which we use your personal data and the lawful bases" above.
- If we ever use your personal data for scientific or historical research purposes or statistical purposes.

- 9.2 The Data Protection Officer can give you more information about your data protection rights. To exercise any of your rights you can speak to the Lea Millinchip, Data Protection Officer, at St Chads Academies Trust, [lea.millinchip@stchads.uk](mailto:lea.millinchip@stchads.uk). Please note that these rights do not apply in all cases and are subject to exemptions.

## **10.0. Consent**

10.1 We may ask for your consent to use your personal data in certain ways as an alternative to relying on any of the bases in the tables above. For example, we may ask for your consent to send you emails about fundraising projects. If we ask for your consent to use your personal data, you can take back this consent at any time. Any use of your personal data before you withdraw your consent remains valid. You can speak to the Data Protection Officer if you would like to withdraw any consent given

## **11.0 Further information**

11.1 This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional employment or contractual rights.

## **12.0 Contact**

12.1 If you would like any further information about anything within this notice, please contact the Data Protection Officer. The Data Protection Officer contact details are [lea.millinchip@stchads.uk](mailto:lea.millinchip@stchads.uk)

12.2 Please speak to the Data Protection Officer if:

- You would like us to update the information we hold about you; or
- You would prefer that certain information is kept confidential.

12.3 There is certain information that you are required to provide to us so that we can enter into a contract of employment with you. This includes your contact details, details of your qualifications, details of your right to work in the UK and your bank details. If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract of employment or agreement we have entered into with you (such as paying you (including paying your expenses) or providing a benefit). Alternatively, we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

12.4 You have a right to lodge a complaint with the Information Commissioner's Office - [www.ico.org.uk](http://www.ico.org.uk). If you do have any concerns about how we have handled your personal data we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.

12.5 Our Data Protection Officer can be contacted at [lea.millinchip@stchads.uk](mailto:lea.millinchip@stchads.uk)