

GDPR

PRIVACY POLICY - STAFF
(SECONDARY)

POLICY DETAILS

Policy Title:	Data Protection Privacy Policy - Staff
Staff name and job title:	Mr A Jordan – Deputy Principal
Organisation:	Macmillan Academy
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POLICY REVISION AND APPROVAL HISTORY

Version	Date of review	Date of next review	Comments	Approved by

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1. INTRODUCTION

- 1.1 Under data protection law, individuals have a right to be informed about how the school 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 our school. We, Macmillan Academy, Stockton Road, Middlesbrough TS5 4AG, are the 'data controller' for the purposes of data protection law. Our data protection officer is Mr A Jordan (see 'Contact us' below).

2. THE PERSONAL DATA WE HOLD

- 2.1 We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:
- 2.1.1 Contact details (address, personal email etc)
 - 2.1.2 Date of birth, marital status and gender
 - 2.1.3 Next of kin and emergency contact numbers
 - 2.1.4 Salary, annual leave, pension and benefits information
 - 2.1.5 Bank account details, payroll records, National Insurance number and tax status information
 - 2.1.6 Recruitment information, including copies of right to work documentation, DBS, references and other information included in a CV or cover letter or as part of the application process
 - 2.1.7 Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
 - 2.1.8 Performance information (performance management records)
 - 2.1.9 Outcomes of any disciplinary and/or grievance procedures
 - 2.1.10 Absence data
 - 2.1.11 Photographs
 - 2.1.12 CCTV footage
 - 2.1.13 Data about your use of the school's information and communications system
- 2.2 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):
- 2.2.1 Race, ethnicity, religious beliefs, sexual orientation and political opinions
 - 2.2.2 Health, including any medical conditions, and sickness records

3. WHY WE USE THIS DATA

- 3.1 The purpose of processing this data is to help us run the school, including to:
- 3.1.1 Enable you to be paid
 - 3.1.2 Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
 - 3.1.3 Support effective performance management
 - 3.1.4 Inform our recruitment and retention policies
 - 3.1.5 Allow better financial modelling and planning
 - 3.1.6 Enable ethnicity and disability monitoring
 - 3.1.7 Improve the management of workforce data across the sector
 - 3.1.8 Support the work of the School Teachers' Review Body

4. OUR LAWFUL BASIS FOR USING THIS DATA

- 4.1 We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:
- 4.1.1 Fulfil a contract we have entered into with you
 - 4.1.2 Comply with a legal obligation e.g. DBS check.
 - 4.1.3 Carry out a task in the public interest
 - 4.1.4 Comply with statutory reporting requirements e.g. workforce census
- Less commonly, we may also use personal information about you where:
- 4.1.4 You have given us consent to use it in a certain way (e.g. biometric data)
 - 4.1.5 We need to protect your vital interests (or someone else's interests)
 - 4.1.6 We have legitimate interests in processing the data
- 4.2 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 school's use of your data.

5. COLLECTING THIS INFORMATION

- 5.1 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.

6. HOW WE STORE THIS DATA

6.1 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 record retention policy (included as an appendix in our data protection policy which is available on our academy website).

7. DATA SHARING

7.1 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:

- 7.1.1 Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns.
- 7.1.2 The Department for Education - to meet our legal obligations to share certain information with it, such as the school census.
- 7.1.3 Central and local government - to meet our legal obligations to share certain information with them, such as employment surveys and HMRC.
- 7.1.4 Your family – in case of a medical emergency
- 7.1.5 Educators and examining bodies – to ensure that qualifications are correctly administered.
- 7.1.6 Ofsted – to meet the legal obligations of the regulatory process of education in the UK.
- 7.1.7 Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll (for a full list of third parties that we share data with to provide education for our students please see the appendix).
- 7.1.8 Financial organisations e.g. banks – to enable us to process salaries and payments.
- 7.1.9 Our auditors – to ensure that we are spending government money legally and appropriately to carry out the educational function of the academy.
- 7.1.10 Health authorities - in case of a medical emergency
- 7.1.11 Professional advisers and consultants- to meet our legal obligations e.g. solicitors
- 7.1.12 Police forces, courts, tribunals - to meet our legal obligations to share certain information with them, such as attendance records.
- 7.1.13 Employment and recruitment agencies – to fulfill a reasonable request e.g. job reference.
- 7.1.14 Pensions organisations – to ensure that the correct contributions are made e.g. LGPS.

8. TRANSFERRING DATA INTERNATIONALLY

- 8.1 Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

9. YOUR RIGHTS

How to access personal information we hold about you

- 9.1 Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.
- 9.2 If you make a subject access request, and if we do hold information about you, we will:
- 9.2.1 Give you a description of it
 - 9.2.2 Tell you why we are holding and processing it, and how long we will keep it for
 - 9.2.3 Explain where we got it from, if not from you
 - 9.2.4 Tell you who it has been, or will be, shared with
 - 9.2.5 Let you know whether any automated decision-making is being applied to the data, and any consequences of this
 - 9.2.6 Give you a copy of the information in an intelligible form
- 9.3 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.

10. YOUR OTHER RIGHTS REGARDING YOUR DATA

- 10.1 Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:
- 10.1.1 Object to the use of your personal data if it would cause, or is causing, damage or distress
 - 10.1.2 Prevent your data being used to send direct marketing
 - 10.1.3 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)
 - 10.1.4 In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
 - 10.1.5 Claim compensation for damages caused by a breach of the data protection regulations.
 - 10.1.6 To exercise any of these rights, please contact our data protection officer.

11. COMPLAINTS

- 11.1 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.
- 11.2 To make a complaint, please contact our data protection officer. Alternatively, you can make a complaint to the Information Commissioner's Office:
- 11.2.1 Report a concern online at <https://ico.org.uk/concerns/>
 - 11.2.2 Call 0303 123 1113
 - 11.2.3 Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

12. CONTACT US

- 12.1 If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer** Mr A Jordan (a.jordan@academy.org.uk)

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this school.



Stockton Road
Middlesbrough
TS5 4AG



01642 800800



enquiries@endeavour-academies.org.uk
www.endeavour-academies.org.uk