

## **Privacy Notice for the School Workforce**

Under UK data protection law, individuals have the right to be informed about how Batley Multi 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 our school.

We, Batley Multi Academy Trust ("the Trust") whose registered address is; Batley Multi Academy Trust, % Upper Batley High School, Blenheim Drive, Batley, WF17 0BJ are the 'data controller' for the purposes of UK data protection law.

Our Data Protection Officer is Laura Bland (see 'Contact us' below).

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

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

- Contact details including forename, surname, preferred name and any previous names.
- Next of kin and emergency contact number.
- Salary (and relevant deductions), 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 (proof of ID) references, Evidence of qualifications training.
- Employment records, including work history, job titles, training records and professional memberships.
- Education history.
- DBS details - DBS number, date of DBS, records of any discussions regarding positive disclosures.
- Contractual information.
- Performance information.
- Outcomes of any disciplinary and/or grievance procedures.
- Absence data.
- Copy of driving licence.
- Photographs and videos.
- Data about your use of the school's information and communications system.
- Employee or teacher number.
- Car registration number (as appropriate)
- Information related to prohibition checks and s.128 checks where appropriate.

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):

- Racial or ethnic origin, religious or philosophical beliefs and sexual orientation.
- Date of birth, marital status and gender.
- CCTV images captured in school (school dependent, these may be visual and audio).

- Trade union membership.
- Biometric data - as appropriate.
- Health, including any medical conditions and sickness record.

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

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid.
- Facilitate safe recruitment as part of our safeguarding obligations.
- Support effective performance management.
- Inform our Recruitment and Retention Policies.
- Allow better financial modelling and planning.
- Enable equalities monitoring and promote equal opportunities.
- Improve the management of workforce data across the sector.
- Support the work of the School Teachers' Review Body.
- Respond to statutory data collection/reporting requirements (for example, Gender Pay Gap and School Workforce Census).
- Provide a service (e.g. cashless catering)

### **Use of your personal data in automated decision making and profiling**

Your personal and sensitive data is captured for the use of cashless catering across three of our Trust schools (Batley Grammar School, Batley Girls' High School and Upper Batley High School). It is used to process payment linked to your account with the catering service. Use of this data is considered automated and profiling.

### **Our legal 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).
- We have legitimate interests in processing the data – for example, where we satisfy the Public Sector Equality Duty.

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.

### **Our basis for using special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

### **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 (electronically or paper copies). 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 relevant statutory requirements.

We also hold some data on servers (for e.g. biometric data linked to cashless catering). This data is encrypted using AES 256 standard.

### **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 UK data protection law), we may share personal information about you with:

- Kirklees Council.
- The Department for Education - DfE (a Government department).
- Ofsted.
- Board of Trustees and Governors.
- Members of Batley Multi Academy Trust staff.
- Teachers' Pension.
- West Yorkshire Pension Fund.
- HM Revenue and Customs.
- HSF Health Scheme.
- NHS
- Police and other law enforcement agencies.
- Health and social welfare organisations.
- Central and local Government.
- Your family or representatives.
- Third party data processors - suppliers and service providers (for e.g. Occupational Health)
- Financial organisations.
- Our auditors.
- Survey and research organisations.
- Trade unions and associations.
- Professional advisors and consultants.
- Charities and voluntary organisations.
- Employment and recruitment agencies (in the case of references).

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with UK 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 school holds about them.

If you make a subject access request, and if we do hold information about you, upon request, we will (subject to any exemptions that may apply):

Give you a description of the data.

- Tell you why we are holding and processing it, and how long we will keep the information for.
- Explain where we got it from, if not from you.
- Tell you who the information has been, or will be, shared with.
- Let you know whether any automated decision-making is being applied to the data, and any potential consequences.
- Give you a copy of the information in an intelligible form.

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.

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

Under UK 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 to send direct marketing.
- 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 first 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, Laura Bland on [dpo@batleymat.co.uk](mailto:dpo@batleymat.co.uk)