



Privacy notice for Olive Academies staff, October 2019

Under data protection law, individuals have a right to be informed about how the academy 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 academy.

Olive Academies MAT, 95 Ditchling Road, Brighton, BN1 4ST is the 'data controller' for the purposes of data protection law.

Our data protection officer is Adam Tedesco (see 'Contact us' below).

The categories of personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our academy.

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- **personal information** such as name, contact details, date of birth, marital status and gender, next of kin and emergency contact numbers, employee or teacher number, national insurance number, copy of driving license
- **contract information** such as start date, hours worked, post, roles and salary information, 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, performance information, outcomes of any disciplinary and/or grievance procedures, job titles, working hours, training records and professional memberships
- **work absence information** such as number of absences and reasons
- photographs
- CCTV footage
- data about your use of the academy'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, sexual orientation and political opinions
- trade union membership
- health, including any medical conditions, and sickness records

Why we use this data

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid

Our lawful basis for using this data

Under the General Data Protection Regulations (GDPR), the legal basis we rely on for processing personal information for general purposes is outlined in GDPR Article 6 and where data processed is special category data this is outlined in Article 9. <https://gdpr-info.eu/art-9-gdpr/> Special categories of more personal data are summarized above.

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)

Collecting this information

We collect personal information via application forms, personal detail forms, contracts etc.

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, in order to comply with GDPR, 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

Personal data is stored in line with our data protection and data retention policies.

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 data retention policy – this states that the information will be kept for six years after the termination of employment.

Why we share school workforce information

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:

- our local authority – to meet our legal obligations under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- The Department for Education - see below
- your family and representatives, for example in situations of death in service and a delegated death grant nomination.
- educators and examining bodies, for example in situations of exam misconduct.
- suppliers and service providers – to enable them to provide the service we have contracted them for, such as Data Plan for payroll.

- central government, to provide workforce census data and to carry out enhanced Disclosure and Barring Service checks.
- survey and research organisations, for example the annual survey of hours and earnings which is supplied to the Office of National Statistics.
- auditors, to carry out regular audit checks in order to ensure compliance with the Financial Regulation Handbook.
- health authorities, for example Occupational Health referrals where appropriate.
- security organisations, for safeguarding and fire evacuation purposes where relevant.
- health and social welfare organisations, for any safeguarding purposes.
- professional advisers and consultants, for where individuals have expressed an interest in attending a specific training programme or it is required for their role.
- police force, courts, tribunals to provide data for civil or criminal prosecution

Department for Education (DfE)

The DfE collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the DfE for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 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](#). For more information, please see 'How Government uses your data' section at the end of this notice.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Adam Tedesco, Data Protection Officer, adam.tedesco@oliveacademies.org.uk. Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting DPO, Adam Tedesco.

Contact us

If you would like to discuss anything in this privacy notice, please contact: Adam Tedesco, adam.tedesco@oliveacademies.org.uk

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 school 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 school 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 school 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're 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're 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:

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

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