



Privacy Notice

for our Workforce

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1. Introduction

Under data protection law, individuals have a right to be informed about how our 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 Trust.

Prince Albert Community Trust (PACT) is the 'data controller' for the purposes of data protection law. GDPR Sentry Ltd have been appointed as our data protection officer (see 'Contact us' below).

2. Data processing

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 and gender;
- next of kin and emergency contact numbers;
- 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;
- outcomes of any disciplinary and/or grievance procedures;
- absence data;
- copy of driving licence; and
- data regarding your use of the Trust's information and communications technologies.

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- any health conditions you have that we need to be aware of;
- sickness records;
- photographs and CCTV images captured in school; and
- trade union membership.

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Support effective performance management
- d) Inform our recruitment and retention policies
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body

Automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

For the purposes of b, c, d, e, f, g and h in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school.

For the purposes of a, b and c in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law.

For the purposes of a, b and c in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us.

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 would 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 use of your data. For example, we will gain your consent to use your photograph for any reason other than for safeguarding purposes; for example displaying your photograph on the school website or in the staff journal.

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 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 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.

5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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. For example:

- Employment checks: failure to provide the school with ample proof of a right to work in the UK will prevent employment with the organisation. Employees found to be working illegally could face prosecution by law enforcement officers.
- Salary requirements: failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- local authorities;
- government departments or agencies; and
- police forces, courts, tribunals.

6. How we store this data

We keep personal information about you while you work at our Trust. We may also keep it beyond your employment at our Trust if this is necessary.

Personal data relating to staff is stored in line with the PACT Data Protection and Privacy Policy.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with

We do not share information about you with any third party without 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 (Birmingham) – to meet our legal obligations to share certain information with it, such as safeguarding concerns;
- government departments or agencies;
- our regulator, Ofsted;
- suppliers and service providers:
- List the specific types of providers – to enable them to provide the service we have contracted them for, such as payroll / HR / legal;
- financial organisations including debt collection agencies;
- our auditors;
- survey and research organisations;
- health authorities;
- Trade Unions and associations;
- your family or representatives;
- security organisations;
- health and social welfare organisations;
- professional advisers and consultants;
- charities and voluntary organisations;
- Police forces, courts, tribunals

8. Your rights

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

How to access personal information that we hold about you

You have a right to make a 'Data Subject Access Request' (DSAR) to gain access to personal information that we hold about you.

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

- give you a description of it;
- 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; and
- 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 us (see 'Contact us' below).

Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- object to our use of your personal data;
- prevent your data being used to send direct marketing;
- object to and challenge 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;
- in certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing;
- in certain circumstances, be notified of a data breach;
- make a complaint to the Information Commissioner's Office; and
- claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 (see 'Contact us' below).

Alternatively, you can raise a concern directly with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

10. 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 detailed below.

Data Protection Officer: GDPR Sentry Ltd
Email: dpo@the-pact.co.uk

Please see overleaf for the declaration that you must return to school as soon as possible.

PACT Workforce Data Protection & Privacy Declaration

I, (name) _____, declare that I understand:

- that the PACT has a legal and legitimate interest to collect and process my personal data in order to meet statutory and contractual requirements;
- there may be significant consequences if I fail to provide the personal data the PACT requires;
- that the PACT may share my data with the DfE, and subsequently the LA;
- that the PACT will not share my data with any third parties without my consent, unless the law and PACT policies allow them to do so;
- the nature and personal categories of this data, and where the personal data originates from (where the data is obtained from third parties);
- my data is retained in line with the PACT Data Protection and Privacy policy; and
- my rights with regards to the processing of my personal data.

Furthermore, I understand that as an employee of the PACT, I have an obligation to:

- inform the Data Protection Officer (DPO) of any Data Subject Access Request (DSAR) I receive (for example, from a parent) immediately;
- inform the Data Protection Officer (DPO) of any suspected data breach as soon as I become aware of it;
- adhere to the PACT Data Protection and Privacy policy.

Full name: _____ **Signature:** _____ **Date:** ____ / ____ / ____

PACT Workforce Photograph/Video Consent Form

Please ensure you complete all of the following statements.

I consent to photographs of me being published (other than for safeguarding purposes). For example, in newsletters, displays, the staff journal, websites, twitter etc.		
Please tick	Yes _____	No _____
I consent to videos of me being published (other than for safeguarding purposes). For example, in newsletters, displays, the staff journal, websites, twitter etc.		
Please tick	Yes _____	No _____

Full name: _____ **Signature:** _____ **Date:** ____ / ____ / ____

Please remember that you have the right to withdraw your consent at any time. To do so, please contact the school office and ask for a new PACT Workforce Photograph/Video Consent Form and return the completed form to the school office.