



Privacy Notice (How we use workforce information)

This Notice is for all School Staff, both Teachers and Non-Teaching Staff, to explain how personal information is used in educational settings like schools.

The categories of school information that we process

These include:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information, annual leave, pension and benefits)
- work absence information (such as number of absences and reasons)
- qualification level (and, where relevant, subjects taught)
- Bank account details, payroll records, and tax status information
- Recruitment information, including copies of right to work documentation, DBS reference Number, 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
- Photographs
- CCTV footage
- Data about your use of the Trust's information and communications systems.

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 relevant medical information, and sickness records
- Next of kin and emergency contact numbers.
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Other payroll information.

This list is not exhaustive, to access the current list of categories of information we process please see the school website for the most current privacy notice.

Why we collect and use workforce information

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

- Meet our obligations to the LA and DFE/ESFA
- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies

- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Governor details go to DFE/GIAS (Get Information about Schools).

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

Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are 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

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.

Collecting workforce information

We collect personal information via staff contract forms and data collection forms when staff start with the Trust. Staff can then update their personal data, eg name or address changes etc by advising the school office or amending their own payroll accounts.

Workforce data is essential for the school's / trust's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule.

We create and maintain an employment file for each staff member. The information contained in this file is kept highly 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 the Trust's Data Protection Policy.

We create and maintain a record for every Governor, Member and Trustee within the Trust. This information is kept secure and is only used for purposes directly related to Trust Governance.

Each school within the Trust creates and maintains a record for every workforce volunteer who works within their school. This information is kept secure and is only used for the purposes for which it was provided.

For further details regarding Data Retention please see BMAT's Data Protection Policy, which is available on the school website.

All data is transferred securely and held by DfE or our contractors eg payroll, under a combination of software and hardware controls, which meet the current [government security policy framework](#).

Who we share workforce information with

We routinely share this information with:

- our local authority (where applicable)
- the Department for Education (DfE) /ESFA
- Your family or representatives
- Educators and examining bodies
- Our regulator: Ofsted
- *Certain suppliers/service providers – to enable them to provide the service we have contracted them for*
- Payroll/HR providers
- *Financial organisations*
- *Central and local government*
- *Our auditors*
- *Survey and research organisations*
- *Trade unions and associations*
- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*
- *Employment and recruitment agencies*

Why we share school workforce information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

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

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.

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education

The Department for Education (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 Department for Education (DfE) for the purpose of those data collections.

We are required to share information about our school employees with the Department for Education (DfE) 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 the Department for Education (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.

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 the school office or:

Bengeworth Multi-Academy Trust Data Protection Officer
Bengeworth Multi- Academy Trust
Kings Road
Evesham
Worcestershire
WR11 3EU
Email: head@bengeworth.worcs.sch.uk

You also have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>

For further information on how to request access to personal information held centrally by Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

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 the address above.

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 8th October 2023.

Contact

If you would like to discuss anything in this privacy notice, please contact the address above.

How government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs Department for Education (DfE) 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 for Education (DfE) 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 for Education (DfE) 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 the Department for Education (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 for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) 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 for Education (DfE): <https://www.gov.uk/contact-dfe>