



POLICY DOCUMENT

GDPR Privacy Notice (Workforce)

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Introduction

Under data protection law, individuals have a right to be informed about how the Wise Owl Trust or the Academy uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data. This document can also be found in the staff section of the Wise Owl Trust website.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our academies.

We, the Wise Owl Trust, are the 'data controller' for the purposes of data protection law. Our Trust data protection officer is Sheryl Cardwell (s.cardwell@wiseowl.com)

The categories of school workforce information that we collect, process, hold and share

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

- contact details (name; address; phone numbers)
- personal information (date of birth; employee or teacher number; national insurance number; next of kin; emergency contact numbers; medical information)
- special categories of data including characteristics information (gender, age)
- ID information (such as driving licence number/passport number for verification purposes; home office documents etc)
- contract information (start dates; hours worked; post; roles; pension and salary information)
- other information to enable recruitment (bank account details; tax status information; right to work documentation; references; application form; qualifications)
- attendance, punctuality and absence information/data (sickness records)
- qualifications & training
- outcomes of disciplinary and/or grievance procedures
- performance management documentation
- CCTV footage
- data about your use of the WOT/academy's ICT system (such as email)
- Photographs (such as staff ID badges and staff photos in reception areas)

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
- health, including any medical conditions and sickness records

This list is not exhaustive, to access the current list of categories of information we process please see <https://www.wiseowltrust.com/trust-documents>

Why we collect and use this information

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

- enable you to be paid

- facilitate safer recruitment, as part of our safeguarding obligations towards pupils
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enables appropriate action to be taken in the case of medical emergencies
- allow better financial modelling and planning
- enable ethnicity and disability monitoring
- to facilitate fairness and equality with regards to recruitment procedures
- to inform the school workforce data census
- to enable absence monitoring (Return to Work documentation)

Our lawful basis on which we process this information

Under the UK General Data Protection Regulation (UK GDPR), 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, employee references, employee starter packs, DBS verification checks and employee health questionnaires.

Workforce data is essential for the school's/local authority's operational use. Whilst the majority of 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 school workforce information to us or if you have a choice in this.

Storing this information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit <https://www.wiseowltrust.com/trust-documents>

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 and only accessed by relevant personnel.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Retaining Records Schedule. The Retaining Records Schedule also sets out what other data we hold and for how long we hold it.

Who we share this information with

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 (where applicable) to meet our legal obligations to share certain information with, such as safeguarding concerns
- other WOT departments (to facilitate Return to Work interviews; to inform auditor requirements)
- the Department for Education (DfE) (such as workforce census information requested)
- governors (such as references)
- your family or representatives
- educators and examining bodies
- our regulator, Ofsted
- finance and other suppliers and service providers – to enable them to provide the service we have contracted them for (such as payroll)
- external and/or internal auditors
- central and local government
- trade unions and associations (such as HR support)
- security organisations (such as academy key holding)
- health and social welfare organisations (ie Healthwork)
- professional advisers and consultants (such as counsellors)
- police forces, courts, tribunals
- professional bodies
- Teacher Regulation Authority

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.

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 (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment. 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, under:

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 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.

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.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>. To contact the department: <https://www.gov.uk/contact-dfe>

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>.

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 data protection law

Your rights

Requesting access to your personal data

Under data protection legislation, you have the right to make a 'subject access request' to gain access to personal information about you that we hold. If you make a subject access request, and if we do hold information about you, we will:

- 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
- 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 for your personal information, contact Sheryl Cardwell (s.cardwell@wiseowl.com)

Your other rights regarding your data

You also have the right to:

- to ask us for access to information about you that we hold
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- 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
- 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
- claim compensation for damages caused by a breach of the Data Protection regulations

To exercise any of these rights, in the first instance please contact your Principal.

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 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 Sheryl Cardwell (s.cardwell@wiseowl.com)

Notice 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 in April 2024.

Further information

If you would like to discuss anything in this privacy notice, please contact Sheryl Cardwell (s.cardwell@wiseowl.com)

**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 the Wise Owl Trust*