Appendix B

Privacy Notice For Employees, Agency Workers, Governors and Trustees

We at Devonport High School for Girls are a data controller for the purposes of the UK General Data Protection Regulations (GDPR). This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees, workers, governors, trustees and contractors. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Kept securely;

The kind of information that we collect, process, hold and share may include:

- Personal information (such as name, address, date of birth, employee or teacher number, national insurance number);
- Employment particulars (such as start dates, hours worked, post, roles and salary information including your pension and tax status);
- Absence/attendance information (such as number of absences and reasons);
- Qualifications (and, where relevant, subjects taught);
- Photograph for ID purposes;
- Marital status and dependants;
- Next of kin and emergency contact information;
- Bank account details, payroll records and tax status information;
- Location of employment or workplace;
- Copy of driving licence;
- Recruitment information (including copies of right to work documentation, references, , criminal records information including the results of Disclosure and Barring Service (DBS) checks);
- Employment records (including job titles, work history, working hours, training records and professional memberships);

- Performance and appraisal information;
- Disciplinary and grievance information;
- Photographic images and CCTV footage and other information obtained through electronic means such as swipe card records;
- Information about your use of our information and communications systems;

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
- Trade Union membership;
- Information about your health, including any medical condition, health and sickness records;
- Genetic information and biometric data;
- Information about criminal convictions and offences;

Why we collect and use this information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances, to;

- Enable the development of a comprehensive picture of the workforce and how it is deployed;
- Inform the development of recruitment and retention policies and to make decisions on recruitment, appointments and promotions;
- Determine the terms on which you work for us;
- Check you are legally entitled to work in the UK;
- Pay you and, if you are an employee, deducting tax and National Insurance contributions
- Liaise with your pension provider;
- Administer the contract we have entered into with you;
- Manage and plan for the Trust, including accounting and auditing;
- Conduct performance reviews, manage performance and determine performance requirements;
- Make decisions about salary reviews and compensation;
- Assess qualifications for a particular job or task, including decisions about promotions;
- Gather evidence for possible grievance or disciplinary hearings;
- Make decisions about your continued employment or engagement;
- Make arrangements for the termination of our working relationship;
- Provide education, training and development opportunities;
- Deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- Ascertain your fitness to work;
- Manage your sickness absence;
- Comply with health and safety obligations;
- Prevent fraud;
- Trust/School governance;
- Monitor your use of our information and communication systems to ensure compliance with our IT policies;
- Ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;

- Conduct data analytics studies to review and better understand employee retention and attrition rates;
- Allow equal opportunities monitoring;

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits;
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations;

The lawful basis on which we process this information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;

We may also use your personal information in the following situations which are likely to be rare:

- Where we need to protect your interests (or someone else's interests);
- Where it is needed in the public interest;

Collecting this information

We typically collect personal information about employees, workers, governors, trustees and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers) or from fulfilling our public duty.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Retention of your information

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Protection policy which is available from the Business Manager or on our school website.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker, governor, trustee or contractor of the Trust we will retain and securely destroy your personal information in accordance with our data protection policy.

We will hold your personnel file for a period of 7 years from the date on which your employment with the Trust ended.

Who we share this information with

We routinely share and process this information with the following third parties:

- Our local authority
- The Department for Education (DfE)
- Our HR and legal providers
- Our payroll provider
- Our Pensions Administrators
- Our IT providers
- Our Occupational Health Provider
- Our Training Providers
- Our DBS Checking Service

Why we share school workforce information

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

For example:

- 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;
- We share personal data with the Department for Education (DfE) on a statutory basis. 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 pupils with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments;

All our third-party service providers and other entities within the Trust are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

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/datacollection-and-censuses-for-schools.

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 your information, organisations must comply with our 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

Requesting access to your personal data

Under the GDPR, you have the right to request access to the information that we hold relating to you. To make a request for your personal information, contact the Business Manager.

You also have the right to:

- Object to processing of personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground;
- Prevent processing for the purpose of direct marketing;
- Object to decisions being taken by automated means;
- In certain circumstances, have inaccurate personal data rectified, restricted, erased or destroyed;
- Request the transfer of your information to another party; and
- Claim compensation for damage you have suffered as a result of a breach of Data Protection Legislation;

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.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a genuine need to know. They will only process your personal information on our

instructions and they are subject to a duty of confidentiality. Details of these measures are available upon request.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data Protection Officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the data protection officer. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.If you would like to discuss anything in this privacy notice, please contact:

Trust DPO – Kelly Denton

01752 705024

DPO@dhsg.co.uk