

## **Workforce Privacy Notice**

This privacy notice has been written to inform prospective, current, and former employees of Hartlepool Aspire Trust about how and why we process their personal data.

### **Who are we?**

Hartlepool Aspire Trust is a 'Data Controller' as defined by Article 4 (7) of the UK GDPR. This means that we determine the purposes for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Trust has appointed Veritau Ltd to be its Data Protection Officer (DPO). The role of the DPO is to ensure that the school is compliant with the UK GDPR and to oversee data protection procedures. If you would like to discuss anything in this privacy notice, please contact Louise Robson, Head of Corporate Services on 01429 264036 or Veritau Ltd. Veritau's contact details are:

Schools Data Protection Officer  
Veritau  
West Offices  
Station Rise  
York  
North Yorkshire  
YO1 6GA  
[schoolsDPO@veritau.co.uk](mailto:schoolsDPO@veritau.co.uk) // 01904 554025



*Please ensure you include the name of your school in all correspondence*

### **What information do we collect?**

The personal data we collect about you includes:

- Personal identifiers (your name, address, date of birth, employee or teacher number, national insurance number etc)
- Previous job experience and qualifications (including copies of certificates and employment references)
- Information about your employment attendance (including reasons) and performance (including disciplinary information)
- Information about your ethnicity, religious beliefs, gender (for the purposes of equality monitoring)
- Information about your right to work
- Relevant medical information which affects your employment
- Relevant criminal history data as required to determine suitability for the role
- Emergency contact information of those individuals you identify
- Copy of driving licence and motor insurance
- Financial information, including bank account information, tax, national insurance and pension contributions to facilitate salary payments
- Contract information, including post, roles, start date, hours worked etc.
- CCTV Footage
- Data about your use of the trust's information and communication system

## **Why do we need to collect this information?**

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

- 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 equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Comply with disciplinary, grievance and sickness management policies and procedures

## **Methods of collecting this information about you:**

- Documents supplied by you in the course of your job application or at supplementary points
- Checks carried out with professional bodies
- Information provided by previous employers
- Directly from you

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, 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 do we store this information?**

Personal data is stored in line with our Data Protection Policy (HAT/POL/HS/04). 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 and Disposal Policy (HAT/POL/HS/16).

For a copy of these policies contact the Academy's HR Department on 01429 264036.

## **Our lawful basis for using this data**

We process your information for the reasons outlined below. This is in order to fulfil our obligations associated with your employment in line with Article 6(1)(b) (contractual obligation), Article 6 (1)(c) (legal obligation), Article 6 (1)(f) (legitimate interests), Article 9 (2)(b) (employment and social security and social protection law) and Article 9 (2)(g) (Reasons of substantial public interest – condition 18 (safeguarding of children and vulnerable people) of Part 2 of Schedule 1 of the DPA 2018) of the UK GDPR:

- Contractual requirements
- Employment checks e.g. right to work in the UK
- Salary requirements
- Inform the development of recruitment and retention policies, and to allow us to monitor whether these policies are effective in promoting diversity in the workforce.

- In order to meet our health and safety obligations with regard to prevention of the spread of infection during a global pandemic by providing you with a safe place to work
- In order to conduct risk assessments to be able to maintain adequate and safe staffing levels during a global pandemic
- We also may retain some information for historical and archiving purposes in the public interest

To process your criminal history data, the school relies on the following conditions under Schedule 1 of the Data Protection Act 2018:

- (6). Statutory and government purposes
- (10). Preventing or detecting unlawful acts
- (18). Safeguarding of children and individuals at risk

## **Photographs**

In certain circumstances Hartlepool Aspire Trust may use your photograph without your consent (Article 6 (1)(b)).

However, Hartlepool Aspire Trust may wish to use images or videos of you for a variety of other purposes which requires your consent. All staff are required to complete the Images and staff Consent Form which tells us how you would like images and videos to be used. If there are only certain conditions under which you would like images and videos of you to be used, we will abide by the conditions you outline in the form.

## **How to withdraw consent**

Where we are processing your personal data with your consent you have the right to withdraw that consent. If you change your mind, or are unhappy with our use of your personal data, please let us know by contacting our Louise Robson, Head of Corporate Services on 01429 852997.

## **Who has access to your personal data?**

Your information will only be made available to those who need it to do their job in relation to your employment. This includes your line manager(s), the business manager, and relevant administrative staff.

Your name, job title, work email address, telephone number and office base will be available in our internal telephone directory which is accessible to all staff.

## **Who do we share your personal data with?**

We routinely share your information with:

- The Local Authority (LA)
- The Department for Education (DfE)
- The Teachers' Pensions Scheme, or LA Pension Fund

## **Why do we share your information?**

### **Sharing with the LA**

Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and the information required under Section 5 of the

Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Sharing with the DfE**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

For example, we are required to share information about our school employees with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework.

### **How does the government use your data?**

The workforce information that we lawfully share with the DfE through data collections:

- Informs the DfE's 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.

You can find more information about the data collection requirements placed on us by the DfE by following this link: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share your information with third parties who promote the education or wellbeing of children or the effective deployment of school staff in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The 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 and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information.
- The purpose for which the information is required.
- The level and sensitivity of the information requested.
- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

### **How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

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

You can also contact the DfE directly using its online contact form by following this link:

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

## **Pension Funds**

We share data with the pension funds, (either the Teachers' Pension Scheme, or the LA Pension Fund), to allow accurate records to be kept of your pension entitlement.

This information is necessary to ensure they hold the correct data for the administration of the scheme as outlined in the scheme regulations, which can be found in the [Teachers' Pension Scheme Regulations](#) or in the [LGPS Pension Regulations](#).

## **Who else do we share your information with and why?**

- HM Revenue & Customs
- Department of Work and Pension, if applicable
- Any salary sacrifice arrangement you sign up to eg a charity, Everybody Benefits
- Your trade union, if applicable
- Examining bodies, if applicable
- Disclosure and barring service to conduct criminal record checks, if applicable
- Prospective future employers, landlords, letting agents, or mortgage brokers where you have asked them to contact us to seek a reference
- Your family or representatives – in the event of an emergency requiring your next of kin to be informed
- Our regulator, OFSTED – in order to prove compliance with Ofsted/DFE requirements
- Suppliers and service providers – to enable them to provide the service we have contracted them for such as payroll (HBC), HR support (EMP), governance officer
- Training providers – to record and register relevant CPD and statutory training
- Health authorities in order to carry out health procedures such as vaccinations, etc. and provide information regarding communicable diseases, etc.
- Police forces, courts, tribunals – for example in the case of a dispute or for the prevention of crime
- Financial organisations – including financial management and budgetary software providers, in order to produce financial monitoring information.
- Our auditors, in order to comply with statutory requirements to provide audited financial statements, ensure adherence to our finance policy and to audit our Teachers Pension submissions.

We have a duty under the Freedom of Information Act 2000 to disclose information we hold unless there is a very good reason to withhold it. Therefore, we may disclose your name and work email address publicly in response to a request if we are required to do so.

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

## **How long do we keep your personal data for?**

Hartlepool Aspire Trust will keep your data in line with our Information Policy. Most of the information we process about you will be determined by statutory obligations. Any personal information which we are not required by law to retain will only be kept for as long as is necessary to fulfil our organisational needs.

## **Do you transfer my data outside of the UK?**

Generally, the information that the school holds is all held within the UK. However, some information may be held on computer servers which are held outside of the UK. We will take all reasonable steps to ensure your data is not processed in a country that is not seen as 'safe' by the UK government. If we do need to send your data out of the European Economic Area it will ensure it has extra protection from loss or unauthorised access.

## **What rights do you have over your data?**

Under the UK GDPR, individuals have the following rights in relation to the processing of their personal data:

- to be informed about how we process your personal data. This notice fulfils this obligation
- to request access to your personal data that we hold, and be provided with a copy of it
- to request that your personal data is amended if inaccurate or incomplete
- to request that your personal data is erased where there is no compelling reason for its continued processing
- to request that the processing of your personal data is restricted
- to object to your personal data being processed

## **Complaints**

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact our DPO at the address provided above.

If we cannot resolve your concerns, you may also complain to the Information Commissioner's Office (the Data Protection Regulator) about the way in which the school has handled your personal data. You can do so by contacting:

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| First Contact Team<br>Information Commissioner's Office<br>Wycliffe House<br>Water Lane<br>Wilmslow Cheshire<br>SK9 5AF<br><a href="mailto:icocasework@ico.org.uk">icocasework@ico.org.uk</a> // 0303 123 1113 |
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## **Updating this privacy notice**

We may need to update this privacy notice periodically if we change how we collect and process data. The school will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

This privacy notice was last updated on 29<sup>th</sup> March 2022.