

# Primary Advantage Federation Privacy Notice

## How we use Staff Information

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on you as our employees, including what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If, or any information linked to is unclear, please contact the school office, or the school's Data Protection Officer. Contact details for both are available at the end of this privacy notice.

We, Primary Advantage, are the Data Controller for the purposes of data protection law.

As a public body as we have appointed the London Diocesan Board for Schools as our Data Protection Officer (DPO), they can be contacted via:

Post: Robert Bullett, London Diocesan House, 36 Causton Street, London, SW1P 4AU

Tel: 020 7932 1161

Email: [hrrservice@london.anglican.org](mailto:hrrservice@london.anglican.org)

### **1. The categories of staff information that we collect, hold and share include but are not limited to:**

- Personal information (such as name, address, national insurance number).
- Contact details and preference (contact telephone numbers, email addresses, addresses)
- Characteristics (such as ethnicity, religion, language, nationality, country of birth)
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments and fulfil its duty of care (including the use of Occupational Health Services);
- details of trade union membership where provided by yourself or your trade union;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief where this has been provided.
- Photographs (for internal safeguarding & security purposes, school newsletters, media and promotional purposes).
- CCTV images

We may also hold personal data about you from third parties, such as references supplied by former employers, information provided during the completion of our pre-employment checks, and from the Disclosure & Barring Service, in order to comply with our legal obligations and statutory guidance.

## **2. Why we collect and use this information**

The purpose of collecting and processing this data is to help us recruit staff and run the school efficiently, including to:

- Enable you to be paid and other benefits be provided
- Facilitate our safer recruitment of staff, as part of our safeguarding obligations towards pupils
- Fulfil our legal obligations in recruiting staff
- Support effective performance management and appraisal
- Support effective management of the school workforce, along with the implementation of its policies and procedures
- Inform our recruitment and retention policies
- Allow better financial modelling, administration and planning
- Provide references where requested
- Equalities monitoring and reporting
- Respond to any staffing issues
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- to assess the quality of our services
- to comply with the law regarding data sharing

## **3. The lawful basis on which we use this information**

Our lawful basis for collecting and processing staff information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes.
- (c) Processing is necessary to comply with the legal obligations of the controller.
- (d) Processing is necessary to protect the vital interests of the data subject.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing your information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfill the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment
- (i) It is in the public interest.

Please see our record of processing for further information.

Where we have obtained consent to use staff members personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn. Some of the reasons listed above for collecting and using your personal data overlap, and there may be several grounds which justify our use of this data.

#### **4. Collecting staff information**

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 the General Data Protection Regulation, we will inform you whether you are required to provide certain your information to us or if you have a choice in this. Where we have obtained consent to use your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

#### **5. Storing your data**

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 retention policy.

Please refer to our Records Management Policy for further information.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information can be found on our website.

#### **6. Who we share information with**

We routinely share staff information with appropriate third parties, including:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information relating to certain staffing matters
- The Department for Education - to meet our legal obligations to share certain information with it,
- Your family and representatives – such as in the event of an emergency
- Educators and examining bodies – such as ensuring we adhere to examining regulations to guarantee the validity of examinations
- Ofsted – such as during the course of a school inspection
- Suppliers and service providers – to enable them to provide the service we have contracted them for eg, HR, payroll, employee benefit schemes
- Financial organisations eg Pension Scheme
- Central and local government – such as workforce analysis
- Our auditors, to ensure our compliance with our legal obligations
- Trade Unions and Professional Associations - to enable them to provide the service their members require
- Health authorities and Occupational Health and employee support schemes – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Security organisations – to create a secure workplace for staff
- Health and social welfare organisations – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Professional advisers and consultants – for us to develop our service to best provide our public service
- Charities and voluntary organisations -
- Police forces, courts, tribunals

- Employment and recruitment agencies
- Future employers

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.

## 7. Why we share your information

We do not share information about you 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)

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 school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## 8. 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/data-collection-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 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>

## 9. Requesting access to your personal data and your Data Protection Rights

Under data protection legislation, staff members have the right to request access to information about them that we hold, through a Subject Access Request.

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 or your child
- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our Data Protection Officer.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

## 10. 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.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 11. 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**:

Post: Robert Bullett, London Diocesan House, 36 Causton Street, London, SW1P 4AU

Tel: 020 7932 1161

Email: [hrrservice@london.anglican.org](mailto:hrrservice@london.anglican.org)