

# PRIVACY NOTICE



## Staff

This is Teesside Learning Trusts interpretation of the legal framework set out in the General Data Protection Regulation 2016/679 and their responsibility to ensure that all Employees/ Volunteers/ students / Governors personal data is used in a lawful manner and to demonstrate that consent to this has been granted by the individual.

GDPR sets out principles of how to process people's data and keep it safe. To ensure we are meeting the new regulations, we would like your consent to do this.

Under data protection law, individuals have a right to be informed about how Teesside Learning Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work in our Multi Academy Trust. The following Academies are members of the Trust:

- Badger Hill Primary Academy
- Freebrough Secondary Academy
- Thornaby Secondary Academy
- Whitecliffe Primary Academy

All establishments in the Trust adhere to this document.

We, Teesside Learning Trust and the listed Academies, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Beverley Smith (see 'Contact us' below).

We hold data on the following categories of people:

- Trustees
- Employees
- Those who have applied for a employment

We process data relating to those we employ, or otherwise engage, to work in the Trust. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information



- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, 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, attendance, training records and professional memberships
- Performance management information / outcomes of monitoring and evaluation
- Outcomes of any disciplinary and/or grievance procedures (in accordance with Trust Policies)
- Attendance data including sickness absence, medical certificates and reasons, authorised leave of absence or annual leave
- Copies of identifiable documents, right to work or work permits and/or work visa information
- Information regarding long term health conditions and/or disabilities
- Photographs – in accordance with the Trust photo and video guidance
- CCTV footage – in accordance with the Trust CCTV policy
- Data about your use of the Trust's information and communications system
- Biometric data – if provided

In accordance with the Trust Safeguarding procedures, there is a legitimate reason to require all employees and volunteers to have their photograph taken and held on the relevant information system. This photograph is used to identify you as an approved employee or volunteer and will only be used for this purpose unless separate consent has been obtained.

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
- Benefit information and Trade union, student loan or salary sacrifice deductions
- DBS clearance, criminal disclosures, information related to prohibition orders
- Health, including any medical conditions, and sickness records
- Optional information as disclosed

## Why we use this data

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

- Enable the payroll processes to be accurate
- Facilitate safe recruitment, as part of our commitment to safeguarding for staff and students
- Support effective performance management and incremental pay decisions
- Support the recruitment and retention of staff
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- To monitor workforce trends across the Trust and inform strategic priorities

- Support the work of the School Teachers' Review Body
- To enable accurate staff lists to be published on the website

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

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
- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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 Trust's use of your data.

## **Collecting this information**

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 we store this 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 Data Protection Policy & Document Retention Policy which sets out how long we must keep information about employees. These documents are available on our website:

<https://tltrust.org/policies/>

## **Data sharing**

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 – to meet our legal obligations to share certain information, such as concerns
- The Department for Education – eg School Workforce census

- Your family and representatives eg next of kin
- Educators and examining bodies – to meet our legal obligations in the delivery of education
- Suppliers and service providers – to enable them to provide the service we have contracted them (i.e. HR and finance systems, auditors and advisors or consultants)

The Trust payroll provider has a statutory obligation to share information with HMRC and to comply with requests for statutory deduction of earnings (i.e. attachment of earnings). The payroll provider will also process payments and liaise with agencies in relation to pensions and AVC's, student loans, CSA, childcare vouchers and other salary sacrifice schemes

- References – the Trust may be required to share details in support of an application (i.e. for employment, mortgage or rent, fostering etc)
- Ill health – In accordance with the Equality Act, the Trust may request guidance from medical professionals to support employees with health conditions
- Training providers – where an employee or a volunteer is participating in a training programme (i.e. Teach First, GTP, apprenticeship etc), personal details and progress reports will be shared.
- Safer recruitment – Schools and Academies fall within the limited range of establishments where statutory checks and vetting processes are mandatory. This includes completing a check of identification documents, obtaining a DBS certificate or police check from overseas, retaining records relating to DBS disclosures and seeking employment references from previous employers. All new and continued employment is subject to these checks as outlined in the Keeping Children Safe in Education guidance (September 2018)
- TUPE – If any transfer of undertaking is proposed, affected staff will be consulted prior to the transfer in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006
- Evidence - To provide information or respond to requests for evidence in relation to police investigations, personal injury claims, employment tribunals or other legal investigations
- References - To share information with external agencies or service providers on behalf of an employee or volunteer (i.e. to support applications for employment, financial mortgages or rentals, fostering etc)
- Information requests - To complete and respond to statutory returns or formal requests for information in accordance with the Freedom of Information Act 2000

## 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

### How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust holds about them.

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, please contact our data protection officer.

## Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

## Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer (for all contact details please see the 'Contact Us' section below)

You can also complain to the Information Commissioner's Office in one of the following ways:

- 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

## 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**: Beverley Smith, Enterprise Centre, Freebrough Academy, Linden Road, Brotton TS12 2SJ, [bevsmith@tltrust.org](mailto:bevsmith@tltrust.org) telephone 01287 676305 ext109

*This notice is based on resources available through the The Key and the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data the Trust...*