

## Privacy Notice – Brigshaw Learning Partnership staff, former staff, prospective staff and volunteers

Under data protection law, individuals have a right to be informed about how the school 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 at our schools or individuals who apply to work in our schools.

We, The Brigshaw Learning Partnership are the 'data controller' for the purposes of data protection law.

### The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. We will also process the data of those applying to work in the school. The categories of personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal information (such as name, ID number such as on passport, employee or teacher number, national insurance number)
- Contact details (email and name and address)
- Characteristics information (such as gender, age, ethnic group and nationality)
- Car registration
- Next of kin and emergency contact numbers
- Contract information (such as salary, start date, annual leave, paygrade, 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, where relevant, subjects taught) and employment records, including work history, job titles, working hours, training records, subjects taught and professional memberships
- Work related qualifications such as first aid and health and safety courses undertaken
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data (such as number of absences and reasons)
- Copy of driving licence
- Copy of passport
- Photographs
- Data about your use of the school's information and communications system
- References provided to other organisations

- Financial information
- DBS information

Under Article 9 of the GDPR, 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 and political opinions
- Trade union membership
- Health, including any medical/disabilities information, and sickness records. This will include details relating to infection vulnerabilities of both the member of staff and members of their household, details of self isolation in a pandemic and information required by Test and Trace.
- Biometric information
- CCTV footage captured in school

## Why we use this data

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

- Enable you to be paid and receive a pension if applicable
- 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 ethnicity, disability and other equality monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Ensure we are providing a safe working environment with appropriately qualified staff
- Manage our extra-curricular activities safely
- To provide a service such as cash free catering and secure printing
- To manage and protect public monies effectively
- To assess the quality of our services
- To promote our services to our pupils and their families.
- Provide and monitor a first-aid service
- To comply with the law regarding education
- To manage our data breach procedures
- To manage our Disaster Recovery and Response procedures
- To provide adequate insurance cover for our activities
- Protect public health, such as complying with Test and Trace legislation
- To protect staff welfare

## Our lawful basis for using this data

We collect and use staff and volunteer information for a number of different reasons:

- Requirements of the Education Act 1996 and 2011
- Article 6 and Article 9 of the new GDPR laws, provide some of the underpinning purposes for school's data collection.
- The school workforce (SWF) census
- The School Staffing (England) Regulations 2009,
- Statutory guidance such as Keeping Children Safe in Education
- Equalities Act 2010
- Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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) for example, we will use this personal data in a life-or-death situation or during a pandemic
- We need to fulfil a contract where we need to process personal data to fulfil a contract

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 school's use of your data.

## Collecting this information

We collect information from you on job application forms and references etc. 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.

Occasionally we may need to collect medical data to provide parents and other visitors with first aid

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 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.

We will dispose of your or your family's personal data securely when we no longer need it.

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 Record Retention and Data Handling Policies. A copy of these and all school policies can be found on the google drive. Paper copies can be requested from the Data Protection Officer.

We have a record retention schedule which sets out how long we must keep information. Copies of this schedule can be obtained from the school office.

## Data sharing

We share personal data with the Department for Education (DfE), OFSTED on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of 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.

We will also share information with your pension providers and our HR providers. Where your data is outsourced to a third party processor who provides a service to us, for example: data entered onto evolve or Sims, the same data protection standards that the school upholds are imposed on the processor. We will check that organisations comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

We will not, without your express consent, provide your personal information to any third parties for the purpose of direct marketing.

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 with it, such as safeguarding concerns and DBS checks*
- *The directors, leaders and members of the BLP and individual school Local Governing Bodies - to meet our legal obligations for such things as information about headteacher performance and staff hearings*
- *The Department for Education*
- *Your family or representatives in an emergency situation*
- *Educators and examining bodies*
- *Ofsted*
- *Suppliers, software and service providers – to enable them to provide the service we have contracted them for, such as payroll*
- *Financial organisations*
- *Central government*
- *Our auditors*
- *Survey and research organisations*
- *Trade unions and associations*

- *Health authorities in the UK and abroad (when overseas on BLP business). This includes services such as Test and Trace.*
- *Security organisations*
- *Health and social welfare organisations*
- *Professional advisers and consultants such as return to work advisors and occupational health*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Employment, supply and recruitment agencies*
- *Prospective employers requesting a reference*
- *Educational trip management software*
- *PFI companies who hold staff contact and CCTV images (in schools managed by Pinnacle)*
- *CPD providers*
- *School photographers*
- *Other educational establishments we collaborate with. For example, Royds, Temple Moor and Virtual school to enable us to provide our sixth form provision*
- *Schools ICT to provide back-up computer services*
- *Our HR providers: avec*
- *Our insurance brokers and companies who insure our activities, buildings and staff*
- *Staff absence insurers*
- *Other organisations requesting a reference*
- *The press*

## Data collection requirements

The DfE collects and processes personal data relating to those employed by schools. 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.

## 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 school holds about them.

If you make a Subject Access Request, and if we do hold information about you, you can request us to:

- 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:

- In certain circumstances, object to the use of your personal data if it would cause, or is causing, damage or distress where there is no compelling reason for its continued processing.
- Prevent your data being used to send direct marketing.
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- In certain circumstances, be notified of a data breach.
- Make a complaint to the Information Commissioner’s Office.
- 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 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

You may also wish to refer to our whistleblowing policy, copies of this can also be found in the google drive.

## 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 (DPO):

- [DPO@brigshawtrust.com](mailto:DPO@brigshawtrust.com)

The DPO role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. If you feel your school's data procedures are not fully compliant in any way, please contact the DPO to discuss the matter.

## Privacy Policy Changes

Although most changes are likely to be minor, the Brigshaw Learning Partnership may change its Privacy Policy from time to time, and in the Brigshaw Learning Partnership's sole discretion.

## Brigshaw Learning Partnership (BLP)

Brigshaw Learning Partnership is the data controller for your school. The BLP can be contacted at: Brigshaw High School, Brigshaw Lane, Allerton Bywater, Castleford, WF10 2HR Tel: 0113 2878900