

## **Privacy Notice (how we use Academy Workforce information)**

Under data protection law, individuals have a right to be informed about how the Academy 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 Braunton Academy

We, **Braunton Academy, Barton Lane, Braunton, EX33 2BP**, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Gary Brock (gbrocksolutions) (see 'Contact us' below).

### **The personal data we hold**

We process data relating to those we employ, or otherwise engage, to work at our Academy. 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, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the Academy's information and communications system
- Health, including any medical conditions, and sickness records

## **Why we use this data**

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

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Support effective performance management
- Inform our recruitment and retention policies
- Meet statutory requirements in relation to safer recruitment and keeping children safe
- Meet statutory Teachers' Standards and Education Regulations
- Meet legislative government reporting requirements in relation to the annual workforce census

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

We collect and use Academy workforce information under the GDPR. Under this European rule, we collect and use the information gathered to allow the Academy to complete its public task in providing education to students under Article 6 of the GDPR. The processing is necessary for the Academy to perform its function to students and parents.

There will also be occasions when we need to collect sensitive information such as ethnicity and medical conditions. The processing of this information is necessary to allow the Academy to carry out its obligations under Article 9(2) of the GDPR. This primarily includes the following GDPR conditions for processing special category data that is:

*...necessary for the purposes of carrying out obligations and exercising specific right of the controller or of the data subject in the field of employment ....;*

*...necessary for reasons of substantial public interest, on the basis of Union or Member State law...;*

*...necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care and services;...*

In some circumstances your consent will be required, and this will be useful as the lawful basis for collecting information. This might include the use of photographs not for direct educational or management purposes, or biometrics for example. On these occasions we will let you know when your explicit consent is required.

## **Collecting Academy workforce 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.

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.

## **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 GDPR Document Retention Management Policy. This policy can be found in the policies section of the Academy website.

## **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*
- *The Department for Education (DfE)*
- *Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll, SIMS, Edutech, GDPRis and gbrocksolutions.*

### **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.

### **Why we share Academy workforce information**

We do not share information about our workforce with anyone without consent unless the law and our policies allow us to do so.

#### **Local Authority**

We share information about our workforce members with our local authorities (LA) under section 5 of the of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

#### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. This data sharing underpins Academy funding/expenditure and workforce policy monitoring and evaluation. We are required to share information about our Academy workforce with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **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 Academy holds about them. Requests should be made in writing to the Principal.

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 the Academy Principal in writing.

### **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, Gary Brock, at [admin@braunton.academy](mailto:admin@braunton.academy).

## 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

## 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**:

- Gary Brock at [gary@gbrocksolutions.org](mailto:gary@gbrocksolutions.org)

*This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data at Braunton Academy*

## How Government uses your data

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

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the Academy workforce
- links to Academy funding and expenditure
- supports 'longer term' research and monitoring of educational policy

## Data collection requirements

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>.

## Sharing by the Department

The Department may share information about Academy employees with third parties who promote the education or well-being of children or the effective deployment of Academy 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 Academy 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.

## How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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