

## **Staff privacy notice**

### **What is the purpose of this document?**

The school is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us.

The school is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former employees including NQTs, workers, apprentices. It does not form part of any contract of employment or other contract to provide services but applies in addition to it and policies that may (depending on your role and status) apply to you. We may update this notice at any time.

It is important that you read this notice and any other staff privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

This notice is not aimed at pupils or parents of pupils (whether current, past or prospective) or other members of the public. This information may be found in the school’s other relevant Privacy Notices, which provide further details about how such personal data will be used by the school. Nor does it inform staff how to handle the personal data of the same, which is covered by the school’s Data Protection Policy.

### **Data Protection Principles**

We will comply with the data protection principles when gathering and using personal information, as set out in the Data Protection Policy.

### **The kind of information we hold about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as your name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Employment contract information
- Bank account details, payroll records and tax status information

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Lyn Dance CEO & Executive Headteacher

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- Salary, annual leave, pension and benefits information
- Start date
- Location of employment or workplace
- 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)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Performance information
- Disciplinary and grievance information
- Details of your time and attendance records
- Information in applications you may make for other positions within the school
- Information about your use of our information and communications systems
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the school; you will be notified separately if this is to occur)
- Details in references about you we give to others
- Remuneration and benefit package history
- Copy of driving licence
- CCTV footage and other information obtained through electronic means such as fob records
- Photographs and digital images.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences, including the results of Disclosure and Barring Service (DBS) checks
- Information about your race or ethnicity, religious or similar beliefs and sexual orientation
- Trade union membership.

### **How is your personal information collected?**

We collect personal information about employees including those through the NQTs, workers, apprentices and through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

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**How we will use the information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you – this will usually be related to your employment contract, or to take steps to enter into a contract
2. Where we need to comply with a legal obligation (e.g. our obligations to you as your employer under employment protection and health safety legislation or to comply with statutory guidance and codes of practice, such as those issued by ACAS and the Department for Education)
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
4. With your consent where the processing does not relate to your employment – for example where we ask if we can use your image on the school website.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else’s interests)
2. Where it is needed in the public interest.

The situations in which we will process your personal information are listed below.

<b>Situations in which personal data is processed</b>
Making a decision about your recruitment or appointment
Determining the terms on which you work for us
Checking you are legally entitled to work in the UK
Paying you and, if you are an employee, deducting tax and National Insurance contributions
Providing work-related benefits to you
Liaising with your pension provider
Administering the contract we have entered into with you
Business management and planning, including accounting and auditing
Conducting performance reviews, managing performance and determining performance requirements
Making decisions about salary reviews and remuneration
Assessing qualifications for a particular job or task, including decisions about promotions
Gathering evidence for possible grievance or disciplinary hearings

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Making decisions about your continued employment or engagement
Making arrangements for the termination of our working relationship
Education, training and development requirements
Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
Ascertaining your fitness to work
Managing sickness absence
Complying with health and safety obligations
To prevent fraud
To monitor your use of our information and communication systems to ensure compliance with our IT policies
To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
Equal opportunities monitoring

### **If you fail to provide personal information**

Most of the information we process about you is mandatory (i.e. to enable the school to provide an employment contract or for the school to comply with legal obligations). Consequently, if you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **How we use particularly sensitive personal information**

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent

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2. Where we need to carry out our legal obligations and in line with our Data Protection Policy
3. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our Data Protection Policy
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

### **Our obligations as an employer**

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family-related leaves, to comply with employment and other laws.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustment, to monitor and manage sickness absence, to make any reasonable adjustments and to administer benefits
- We will use trade union membership information to pay trade union premiums, register the status of a protected employee and to comply with employment law obligations.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **Information about criminal convictions**

We envisage that we will hold information about criminal convictions. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able or required to do so to comply with legal obligations (including obligations as an employer). Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by

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you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- In order to assess suitability for employment
- In order to comply with safeguarding obligations
- As required by law.

### **Data Sharing**

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

"Third parties" includes third-party service providers such as contractors and designated agents. The following activities are examples of the types of activity carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services, teaching app providers.

### **How secure is my information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions – either under a data contract or with a data agreement in place.

### **What about other third parties?**

We may share your personal information with other third parties, for example, the local authority and the Department for Education. We may also need to share your personal information with Ofsted, a regulator or to otherwise comply with the law.

### **Transferring information outside the EU**

We may transfer the personal information we collect about you outside the UK or EEA in order to perform our contract with you. We ensure that any country that holds your data or has an adequacy decision by the European Commission in respect of it or other contractual terms are in place. This means that the countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

### **Data Security**

We have put in place measures to protect the security of your information. Details of these measures are available from Toby Ratcliffe ([toby.ratcliffe@sandmat.uk](mailto:toby.ratcliffe@sandmat.uk) – 01452 874000).

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Third parties will only process your personal information on our instruction and where they have agreed to treat the information confidentially and to keep it secure.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **Data Retention**

### **How long will you use my information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our data retention policy which is available from Lynn Campbell-Davies ([lynn.davies@sandmat.uk](mailto:lynn.davies@sandmat.uk) – 01452 874000)

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the school we will retain and securely destroy your personal information in accordance with our Records Management Policy and applicable laws and regulations.

We may retain personal data for archiving purposes where it is necessary to do so in the public interest, for scientific or historical research purposes or statistical purposes subject to appropriate safeguards being put in place to protect the rights and freedoms of the data subject.

## **Rights of access, corrections, erasure and restriction**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below)

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- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example, if you want us to establish its accuracy or the reason for processing it
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Lynn Campbell-Davies ([lynn.davies@sandmat.uk](mailto:lynn.davies@sandmat.uk)) in writing.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Diane Taylor, Headteacher ([diane.taylor@milestone.sandmat.uk](mailto:diane.taylor@milestone.sandmat.uk) – The Milestone School, Longford Lane, Gloucester GL2 9EU). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Point of contact**

Our DPO is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Lynn Campbell-Davies ([lynn.davies@sandmat.uk](mailto:lynn.davies@sandmat.uk) – 01452 874000) or Antonia Noble e: [antonia.noble@icloud.com](mailto:antonia.noble@icloud.com) or [antonia@carter-noble.co.uk](mailto:antonia@carter-noble.co.uk) t: 07824665908]

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact our lead for data protection.**

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