

# Privacy notice for staff: Use of your data

<b>Review Period</b>	Every two years
<b>Person Responsible for Policy</b>	Governance Professional
<b>Governing Committee</b>	Trust Board
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## **1. Introduction**

This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679 – the General Data Protection Regulation (GDPR) – was retained EU law, and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This privacy notice applies to all current and former employees, workers and contractors.

## **2. Who collects the information?**

All Saints Multi Academy Trust 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 does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you understand how we are processing your information and the procedures we take to protect your personal data.

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

## **3. Categories of information we collect, process, hold and share**

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

- personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- emergency contact information such as names, relationship, phone numbers and email addresses;
- information collected during the recruitment process that we retain during your employment including references, proof of right to work in the UK, application form, CV, and qualifications;
- employment contract information such as start dates, hours worked, post, roles;
- education and training details;
- details of salary and benefits including payment details, payroll records, tax status information, national insurance number, pension and benefits information;
- details of any dependants;
- nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;

- information in your sickness and absence records such as number of absences and reasons(including sensitive personal information regarding your physical and/or mental health);
- criminal records information as required by law to enable you to work with children;
- trade union membership;
- information on grievances raised by or involving you;
- information on conduct and/or other disciplinary issues involving you;
- details of your appraisals, performance reviews and capability issues;
- details of your time and attendance records;
- information about the use of our IT, communications and other systems, and other monitoring information;
- details of your use of business-related social media;
- images of staff captured by our CCTV system;
- use of public social media (only in very limited circumstances, to check specific risks for specific functions within the Trust, and you will be notified separately if this is to occur);
- details in references about you that we give to other;
- recordings of staff from any video conferencing platform we use; and
- racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

We may collect this information from you in your application form, but we will also collect information in a number of different ways. This could be through the Home Office, our pension providers, medical and occupational health professionals we engage with, your trade union, and other employees. Information is also collected through CCTV, access control systems and any IT system the school has in place.

## **4. How we use your information**

### **4.1 Our basis for using personal data**

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

- where we need to perform the contract we have entered into with you;
- where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- where it is needed in the public interest or for official purposes;
- where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests; and
- when you have provided us with consent to process your personal data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

The situations in which we will process your personal information include the following:

- to determine recruitment and selection decisions on prospective employees;
- to carry out effective performance of your contract of employment and to maintain employment records;
- to comply with regulatory requirements and good employment practice;

- to carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements;
- to enable the development of a comprehensive picture of the workforce and how it is deployed and managed;
- to enable management and planning of the workforce, including accounting and auditing;
- to facilitate personnel management including retention, sickness and attendance support;
- for performance reviews, managing performance and determining performance requirements;
- to manage internal policy and procedure;
- to facilitate Human Resources administration including pensions, payroll and benefits;
- to determine qualifications for a particular job or task, including decisions about promotions;
- to provide evidence for possible disciplinary or grievance processes;
- to comply with legal obligations;
- to monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding;
- to monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;
- for education, training and development activities;
- to monitor compliance with equal opportunities legislation;
- to answer questions from insurers in respect of any insurance policies which relate to you;
- to make determinations about continued employment or engagement;
- to make arrangements for the termination of the working relationship;
- to deal with post-termination arrangements;
- to meet Health and Safety obligations;
- to prevent or detect fraud or other criminal offences; and
- to defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

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.

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

Sensitive personal information (as defined under the UK GDPR as “special category data”) requires higher levels of protection and further justification for collecting, storing and using this type of personal information. We may process this data in the following circumstances:

- in limited circumstances, with your explicit written consent;
- where we need to carry out our legal obligations in line with our data protection policy;

- where it is needed in the public interest, such as for equal opportunities monitoring, or in relation to our pension scheme;
- 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 necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

We will use this information in the following ways:

- to collect information relating to leave of absence, which may include sickness absence or family related leave;
- to comply with employment and other laws;
- to collect information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;
- to collect information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting; and
- to pay trade union premiums and to comply with employment law obligations.

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 you in the course of working for us. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

### **4.3 Biometric data**

At All Saints Multi Academy Trust we would like to use your information as part of an automated (ie electronically operated) recognition system. This is for the purposes of catering and printing services. The information that we wish to use is referred to as 'biometric information'. These data will only be processed once we have obtained appropriate consent. For further information in relation to this, please see our Biometrics Policy.

## **5. Sharing these data**

We may need to share your data with third parties, including third party service providers 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. These include the following:

- the Department for Education (DfE);
- Ofsted;
- prospective employers;
- welfare services (such as social services);
- law enforcement officials such as police, HMRC;

- the Local Authority Designated Officer ('LADO');
- training providers;
- professional advisors such as lawyers and consultants;
- support services (including HR support, insurance, IT support, information security, pensions and payroll);
- the Local Authority;
- Occupational Health;
- DBS;
- recruitment and supply agencies; and
- other schools within the Trust.

Information will be provided to those agencies securely or anonymised where possible. The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

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

## 6. Security and Retention periods

We have put in place measures to protect the security of your information (ie against it being accidentally lost, used or accessed in an unauthorised way). 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. Details of these measures are available via [Human Resources - Public Access Policies - All Documents \(sharepoint.com\)](#)

You can find further details of our security procedures within our Data Breach policy and our Information Security policy, which can be found via [Human Resources - Public Access Policies - All Documents \(sharepoint.com\)](#)

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.

Except as otherwise permitted or required by applicable law or regulation, the School only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once you are no longer a staff member at the school we will retain and securely destroy your personal information in accordance with our data retention policy. This can be found via [Human Resources - Public Access Policies - All Documents \(sharepoint.com\)](#)

## 7. Your rights of Access, Correction, Erasure and Restriction

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

- access your personal information (commonly known as a "subject access request"). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully

processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances;

- correct the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected;
- erase your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it;
- restrict processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it;
- object to processing in certain circumstances (for example for direct marketing purposes); and
- transfer your personal information to another party.

If you want to exercise any of the above rights, please contact the Trust's Governance Professional in writing. 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).

## **8. Your 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 the Trust's Data Protection Officer. 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.

We hope that the Trust's Data Protection Officer can resolve any query you raise about our use of your information in the first instance.

If you have any questions about how we handle your personal you can contact the DPO on the details below:-

Data Protection Officer: Stephen Brierley  
Address: All Saints MAT Head Office, Gardners Drive, Liverpool L6 7UR  
Email: brierleys@allsaintsmat.org  
Web: www.allsaintsmat.org

## **9. How to raise a concern**

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

You can make a complaint to the Information Commissioner's Office by

- reporting a concern online at <https://ico.org.uk/make-a-complaint/>;
- calling 0303 123 1113; or

- writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **10. 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.