

PRIVACY NOTICE – Data Protection Act 1998

School Workforce: those employed or otherwise engaged to work at a school or the Local Authority

SECAT are the Data Controller for the purposes of the Data Protection Act. As from May 2018 the General Data Protection Regulation (GDPR) rules will apply and we will follow this legislation, paying particular attention to both Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data' to collect personal information from you. We may receive information about you from your previous employer/school and the Learning Records Service.

The categories of workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- relevant medical information and addresses

Why we collect and use this information

Personal data is held by academies within SECAT about those employed or otherwise engaged to work at one of the academies within SECAT. This is to assist in the smooth running of the Trust and/or enable individuals to be paid. The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modelling and planning;
- Enable individuals to be paid
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teacher Review Body

The lawful basis on which we process this information

We process the information under the General Data Protection Regulation (GDPR); Article 6 'Lawfulness of processing' and Article 9 'Processing of special categories of personal data' to collect personal information from you and we may receive information about you from your previous employer/school. For required data collection purposes for census information we also adhere to the Education Act 1996.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain workforce information to us or if you have a choice in this.

Storing this information

In line with the Retention Schedule, we will hold employee data for up to six years after the employee leaves the relevant academy and any subsequent destruction of employee's personal data will be secure and logged appropriately by the relevant academy within SECAT.

Who we share this information with

We are required by law to routinely share some of this data with;

- Our local authority to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. In addition, for payroll, absence, and employee relations purposes.

- The Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding; expenditure and the assessment educational attainments.
- We are required to share information about workforce members with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). 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 DfE 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.

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

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the relevant academy using the website below for contact information:

www.secat.co.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

What decisions can you make about your information?

From May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- if information is incorrect you can ask us to correct it
- you can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to
- you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact:

If you need more information about how the LA and DfE store and use your information, then please go to the following websites:

www.southend.gov.uk

or

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you cannot access these websites, please contact the LA or DfE as follows:

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| <ul style="list-style-type: none">• Data Protection Department for People Southend-on-Sea Borough Council Civic Centre Victoria Avenue Southend Essex. SS2 6ER Contact number: 01702 215007 Email contact address: council@southend.gov.uk | <ul style="list-style-type: none">• Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD Website: www.education.gov.uk Email: https://www.gov.uk/contact-dfe Telephone: 0370 000 2288 |
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