

Privacy Notice for Staff, Volunteers, Trustees, Members and Academy Councillors

Appendix 2 of the BLT Data Protection Policy

Who processes your information?

Brook Learning Trust is the data controller of the personal information you provide to us. This means the Trust is responsible for deciding how information you provide us with, is used. We refer to your information as “personal data” and when we use your information in different ways, this is called “processing”. The Data Protection Act 2018 (DPA) and the General Data Protection Regulation 2018 (GDPR) outlines how personal data should be protected and used appropriately by organisations.

In some cases, your personal data may be shared with other people, organisations or agencies as necessary. This sharing will only occur if we have a legal obligation or duty to do so or after we have sought your permission (consent). If we share your personal data outside of the Trust, we ensure that the same data protection standards are upheld by other people involved in processing your personal data.

The categories of staff / governance information that we process include

- Personal identifiers and contacts (such as name, date of birth, employee number, national insurance number, contact details, address, next of kin and emergency contact numbers)
- Characteristics (such as ethnicity, gender, age)
- Recruitment and safeguarding information (such as DBS check, copies of right to work documentation, references and other information included as part of the application process)
- Relevant medical information (such as doctor’s details, medical conditions, allergies)
- Work absence information (such as number of absences and reasons)
- Qualifications and employment records, including work history, job titles, working hours, training records, professional memberships, outcomes of disciplinary and/or grievance procedures
- Payroll information (such as salary, pension and benefits information, bank details, position, start date)
- Governance details (such as role, start and end dates and governor ID)
- Photographs – Your photograph will be captured by the IT Network Manager or our chosen external school photography companies, Tempest and Van Cols, and may be made available for you to purchase. These images will be used to aid our records management and safeguarding procedures. Historical images of staff will be retained after they have left the academy
- CCTV images

Why do we collect and use your information?

Brook Learning Trust holds personal data relating to employees, members of our Trust Board / Academy Councils and individuals who may visit or support the Trust in other ways. We may also receive information from previous employers, Local Authorities and/or the Department for Education (DfE). We may share personal data with other agencies as necessary under our legal obligations or otherwise in accordance with our duties as a Trust.

We will use your personal information for the following:

- The recruitment process and for carrying out pre-employment checks
- Safeguarding students
- Checking your identity and right to work in the United Kingdom
- Checking your qualifications

- To keep an audit trail of the checks we have made and our relationship with you in case of employment claims
- To set up payroll and pension, and to reimburse expenses
- Communicating with you, including for marketing purposes
- Carrying out our role as your employer or potential employer

We use workforce data to:

- a) Enable the development of a comprehensive picture of the workforce and how it is deployed
- b) Inform the development of recruitment and retention policies
- c) Enable individuals to be paid

We use governance data to:

- a) Meet the statutory duties placed upon us

We collect and use personal data in order to meet our legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR;
- Education Act 1996

All academy Trusts, under the [Academies Financial Handbook](#) have a legal duty to provide the governance information as detailed above.

Whilst the majority of the personal data you provide is mandatory, some is provided on a voluntary basis. You will be informed whether you are required to provide this data or if it is requested on a voluntary basis.

How long is your data stored for?

Your personal data will be held securely in line with the Trust's Data Protection Policy and IRMS records management toolkit guidance on retention (<https://irms.org.uk/page/SchoolsToolkit>).

In accordance with GDPR, the Trust does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Who we share workforce information with?

The Trust will routinely share information with:

- The DfE
- The Education and Skills Funding Agency (ESFA)
- The Local Authority and its agencies
- HM Revenue and Customs
- Teacher Regulation Agency
- Companies House (for Trustees, Members and Company Secretary)
- The Trust's external auditors – MHA MacIntyre Hudson
- The Trust's internal auditors – William Giles
- The Trust's/Academy bankers – Lloyds Bank
- Teacher / Local Government Pension Service
- National Governance Association (for Academy Councillors, Trustees and Members)
- Data Protection services providers – Services4Schools and GDPRiS
- Providers of our IT infrastructure, e.g. Google and Microsoft
- Individual applications that support teaching and learning within our academies
- Providers of our visitor management app - All Things Code (staff at The Ebbsfleet Academy).

From time to time, we may also need to share your information with other third parties including the following:

- Other Government agencies (where required)
- National Health Service
- The Trust's Occupational Health providers – Preventative Healthcare Company Ltd and Brook Learning Trust / Data Protection Policy & Privacy Notice / November 2019 / Page 2 of 4

Maitland Medical Occupational Health

- The providers of therapy and support services (working with pupils in school)
- Disclosure and Barring Service
- The Police and law enforcement agencies
- The Courts, if ordered to do so
- The Trust's legal services provider – Browne Jacobson
- Staff Working Conditions and Wellbeing survey provider – Edurio
- Unions
- Joint Council for Qualifications
- Prevent teams in accordance with the Prevent Duty on schools
- PFI contractors – Pinnacle (staff at The Ebbsfleet Academy)
- DFE Risk Protection provider (Top Marks Claims Management UK).

Why we share workforce information

We are required to share information about our Trust employees with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Why we share governance information

All data is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

We are required to share information about our Trustees and Academy Councillors with the DfE under the requirements set out in the [Academies Financial Handbook](#).

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

The governance data we share with the DfE is entered manually on the GIAS system and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

The Trustee/Academy Councillor data that we lawfully share with the DfE via GIAS:

- Will increase the transparency of governance arrangements;
- Will enable schools and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context;
- Allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role.

How the 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 school workforce;
- Links to school 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 of Education

The DfE may share information about Trust 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 DfE 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 the 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.

To contact the Department of Education: <https://www.gov.uk/contact-dfe>

What are your rights?

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 our Data Protection Officer at dpo@brooklearningtrust.org.uk or by writing to Brook Learning Trust, The High Weald Academy, Angley Road, Cranbrook, Kent TN17 2PJ. Please address letters: **For the attention of the Data Protection Officer.**

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
- A right to seek redress, either through the Information Commissioner's Office (ICO), or through the courts

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the ICO at <https://ico.org.uk/concerns/>

Where can you find out more information?

For more information about the Department of Education's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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

Requesting access to your personal data

Under data protection legislation, staff and volunteers have the right to request access to information held about them. To make a request for your personal information, contact our Data Protection Officer at dpo@brooklearningtrust.org.uk or by writing to Brook Learning Trust, The High Weald Academy, Angley Road, Cranbrook, Kent TN17 2PJ. Please address letters: For the attention of the Data Protection Officer.