Privacy Notice for Staff

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Aquinas Church of England Education Trust

Policy control			
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V1	01/12/23	MCA	Placed in new house style
V2	03/09/24	MCA	Removal of Covid references: new categories of data held at (j); how we collect information; more information about sharing data with the LA and DfE and staff declaration.
V3	13/10/24	MCA	Inclusion of Governor Hub
V4	30/4/25	MCA	Updated to reflect The Data (Access and Use) Act 2025
V5	18/11/26	MCA	Updated to reflect the use of teaching platforms

Template

Privacy notice for staff

This privacy notice is for staff employed to work at **St Nicholas CE Primary School** (the Academy) part of **AQUINAS Church of England Education Trust** (the Trust).

The Academy collects a lot of data and information about staff working at the Academy so that we can run effectively as a school and so the Trust can meet its responsibilities as the employer. This privacy notice explains how and why we collect staff data, what we do with it and what rights you have in relation to the personal data and information collected.

Privacy Notice (How we use your information)

We are a Church of England **primary** academy and part of the Trust, which is the data controller for the purposes of General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA). The Trust is a charitable company limited by guarantee under company number 07525735. The Trust's offices are at **Magpie Hall Lane, Bromley BR2 8HZ**. For further information of the Trust please see www.aquinastrust.org.

Although you provide your services at the Academy, your contract of employment is with the Trust. Consequently, the Trust acknowledges its obligations to you under the data protection legislation in relation to your personal data and is committed to the principles of data protection as detailed in the Trust's Data Protection Policy.

Why do we collect and use your information?

We collect and use your information under the following lawful bases:

a. where we have the consent of the data subject (Article 6 (a)).
b. where it is necessary for the performance of a contract with the data subject (Article 6 (b)).
c. where it is necessary for compliance with a legal obligation (Article 6 (c)).
d. where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d)).
e. where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).
f. where it is necessary for the purpose of recognised legitimate interests. This condition is lawful basis for the Trust in limited public interest conditions such as the sharing of information for the safeguarding of children, for the prevention, detection or investigation of a crime, emergency response or to support another organisation's public interest task.

Where the personal data we collect about you is sensitive personal data, we will only process it where:

a. we have explicit consent.

b. processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement. In addition, the processing satisfies the requirements of Schedule 1 Part 1 of the DPA.
c. processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
d. processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. In addition, the processing satisfies one of the requirements of Schedule 1 Part 2 of the Data Protection Act 2018.

Please see the Trust's Data Protection Policy for a definition of sensitive personal data.

We use your data to support our statutory functions of running a school and in relation to the Trust being your employer, in particular:

a. to meet employer obligations.
b. to ensure that you are recompensed for your services.
c. to support your performance and continuing professional development.
d. to provide appropriate pastoral care.
e. to assess the quality of our services.
f. to comply with the law regarding data sharing.
g. for the protection and welfare of pupils and others in the Academy and the associated ancillary services such as catering.
h. for the safe and orderly running of the Academy.
i. for our insurance requirements.
j. for the administration and business functions of the Academy.
k. to comply with the requirements of the Department of Education.

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

a. Personal information (such as name, address, date of birth).
b. Characteristics (such as ethnicity, medical conditions affecting your employment, nationality, country of birth, gender).
c. Contractual information (such as application form, references, professional qualifications, employment checks including disclosure and barring service check, contract, job description, salary, pay awards).
d. Employee information (such banking information, pension information, performance management, absence, occupational health, grievances, complaints and disciplinary).
e. Emergency contact information (such as name, address, relationship, contact details).
f. Medical Information (such as disability/ condition, medication, healthcare adjustments, doctor's details).
g. Health and safety information (such as accident reports).

h. Photographs taken for employment records and security cards which are held on the personal file and on the Academy's information management system.
i. Car details (car type, model, and registration number)
j. Training and development details
k. CCTV footage.

From time to time and in certain circumstances, we might also process personal data about staff, some of which might be sensitive personal data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about staff and is only likely to be processed by us in specific circumstances relating to members of staff, for example, if a child protection issue arises or if it is a criminal matter involving a member of staff. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so, and appropriate measures will be taken to keep the data secure.

Collecting information about staff

We collect information about you from you when your employment commences with the Trust, and it is updated during you time as an employee of the Trust as and when new information is acquired or created from you, a third party or by us. We will also ask you to review some of the personal information we hold to ensure that it is accurate.

We collect your personal information via the following methods:

- Job application form
- Contract of employment
- References
- Identity checks
- Qualification checks
- Employee joining forms
- Medical information forms
- Pension forms

Whilst most of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this. Where appropriate, we will ask you to consent to processing personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of you to promote school activities. Where you have given consent for the processing of personal information for a specific purpose, you are entitled to withdraw consent at any time.

In addition, we also use CCTV cameras around the Academy's site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage will only be

processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

Storing staff data

We hold staff data in accordance with the Trust's Document Management and Retention Policy; at the termination of your employment with the Trust we will retain your data for a period of 6 years plus the current year in accordance with this policy. A significant amount of personal data is stored electronically, for example, on our database, information management systems, finance and payroll systems, governance and IT systems. Some information may also be stored in hard copy form.

Data stored electronically will be saved within a hybrid solution across the Trust. On premises as part of a Local Area Network which is supported by either Information Technology contractors as approved by the Trust or the Academy's IT department within the Microsoft Azure Cloud Platform. All Local Area Networks are appropriately backed up. Microsoft Azure Data Centres are located within the UK and Europe. The contracts with these providers contain the necessary provisions to ensure the security of personal data. All data is backed up and measures are in place to protect the data from cyberattacks and ransomware.

Personal data may be transferred to other countries if, for example, there is a school trip to a different country, or the member of staff is relocating to a different country. Appropriate steps will be taken to keep the data secure.

Who do we share your information with?

The staff information and data we are provided with is shared with senior leaders at the Academy and staff within Trust's human resources, payroll, and finance departments, where necessary.

It is also routinely necessary to share staff information with:

- New employers.
- Her Majesty's Revenue and Customs (HMRC).
- Our local authority, the London Borough of Bromley/ East Sussex County Council.
- Department for Education (DfE).
- Rochester Diocesan Board of Education
- Aquinas Advisory Council members / trustees.
- School Payment System Providers.
- Provider systems for analysing and amalgamating data from across the Trust.
- External and internal auditors.
- Platforms and applications to improve teaching, learning and staff development across the Trust. The use of any such platforms and applications may include the use of artificial intelligence (AI) including generative AI. The use of such platforms and applications will have been assessed as suitable by the Trust through analyse via a Data Protection Impact Assessment. Additionally, the use of AI will be in compliance with the Trust's Safe Use of AI Policy

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

- Police and law enforcement agencies.
- Healthcare professionals.
- Courts, if ordered to do so.
- Local Authority Designated Officer.
- Unions.
- National College for Teaching and Learning.
- Joint Council for Qualifications.
- Prevent teams in accordance with the Prevent Duty on schools.
- Our HR providers.
- Risk Protection Arrangement.
- Disclosure and Barring Service.

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

If we share your personal data with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Why we share your information

We do not share information about you with anyone without consent unless the law allows us to do so.We share your data with the DfE and HMRC on a statutory basis. To find out more about the data collection requirements placed on us by the DfE (for example; via the workforce census) go to https://www.gov.uk/guidance/school-workforce-census and HMRC (in term pay as you go information) go to https://www.gov.uk/guidance/what-payroll-information-to-report-to-hmrc.

Sharing with the LA

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

Sharing with the DfE

We are required to share information about you with the DfE under for the purpose of these data collections. All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework,

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

- Informs the DfE's 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.

The DfE may share information about you with named bodies and third parties to promote education in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice, or guidance

The DfE has robust processes in place to ensure the confidentiality of your data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases 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 store and handle the data.

To be granted access to staff information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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

For information about which organisations the DfE has provided staff information, (and for which project), please visit the following website:
https://www.gov.uk/government/publications/dfe-external-data-shares

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

For information about how HMRC shares data please visit:
https://www.gov.uk/government/publications/data-protection-act-dpa-information-hm-revenue-and-customs-hold-about-you

How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link:

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

You can also contact the DfE directly using its online contact form by following this link: 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 we hold about you ("Subject Access Request"). To make a request for your personal data contact one of the following; although any written request for personal data will be treated as a Subject Access Request.:

The Trust's Data Protection Officer: Mary Capon by writing to her at **AQUINAS, Magpie Hall Lane, Bromley BR2 8HZ** or emailing her at info@aquinastrust.org and inserting 'subject access request' in the subject box.

The Academy's Data Protection Lead: **Nikki Hudgell via admin@stnicholasceprimary.co.uk**

Subject to the section below, the legal timescales for us to respond to a Subject Access Request is one calendar month. As we have limited staff resources outside of term time, we encourage you to submit Subject Access Requests during term time and to avoid sending a request during periods when the Academy is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see the Trust's Data Protection Policy.

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 subject to the Trust's Data Protection Policy.
- in certain circumstances, have inaccurate personal data rectified, blocked, erased, or destroyed; and
- claim compensation for damages caused by a breach of our data protection responsibilities.

How to withdraw consent

Where we process your data on the basis of consent, you have the right to withdraw your consent at any time. To withdraw your consent, you can contact the headteacher, **Laura Williams** or the Academy's data protection lead **Nikki Hudgell via admin@stnicholasceprimary.co.uk**. You are not required to provide a reason for withdrawing consent.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance by contacting the Trust's data

protection officer or the Academy's data protection lead. Alternatively, you can directly contact the Information Commissioner's Office at https://ico.org.uk/concerns/

Complaints

If you have concerns about how we use your personal data or wish to make a complaint about our compliance with data protection law, you should contact the Trust data protection officer (DPO) in the first instance.

Email: info@Aquinastrust.org

Post: Data Protection Officer, Aquinas Church of England Education Trust, Magpie Hall Lane, Bromley BR2 8HZ

We take all data protection complaints seriously and will follow the procedure and investigate them in accordance with our Data Protection Policy

Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. The school will inform you when this privacy notice has changed; however, we also recommend that you revisit this privacy notice periodically.

How can you find out more information?

If you have any queries regarding this notice or the use of your personal information, please contact:

- The Trust's data protection officer, Mary Capon, who can be contacted by writing to her at The Trust's offices are at **Magpie Hall Lane, Bromley BR2 8HZ**, by emailing info@aquinastrust.org or calling 020 3949 7000.
- Alternatively, you can contact the headteacher**, Laura Williams** or the Academy's data protection lead **Nikki Hudgell via admin@stnicholasceprimary.co.uk**

If you require further information about how we and/or the DfE store and use your personal data, please visit our website at www.aquinastrust.org and the Gov.UK website (https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data) or download our Data Protection Policy and Records Management Policy from our website.

Declaration

I, [*name of staff member*], declare that I understand:

- The categories of my personal information the Academy and the Trust collects and uses.
- The Trust/ Academy has a lawful basis for collecting and using my personal information.
- The Trust/ Academy shares my information with the DfE, LA and other stated organisations.
- The Trust/ Academy does not share information about me with anyone without my consent, unless the law and our policies allow the school to do so.
- My information is retained in line with the Trust's Records Management Policy.
- My rights to the processing of my personal information.

Name of staff member: _____

Signature of staff member: _____

Date: _____