



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

Privacy Notice for Staff



The Bishop Konstant Catholic Academy Trust,
The Zucchi Suite, Nostell Business Estate, Nostell,
Wakefield, WF4 1AB

Telephone: 01924 802285
Email: admin@bkcat.co.uk **Website:** www.bkcat.co.uk



Trust Staff Privacy Notice - How we use workforce information

What is the purpose of this document?

The Bishop Konstant Catholic Academy Trust ('the Trust') is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about individuals we employ, or otherwise engage to work across the Trust, in accordance with the General Data Protection Regulation ("GDPR"). It applies to all workforce of the Trust.

The 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.

The categories of workforce information that we collect, process and hold about you.

These include:

- personal information (such as name, employee or teacher number, national insurance number, next of kin)
- special categories of information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- bank or building society account details
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- records concerning performance management and appraisal

Why we collect and use workforce information

We use workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- perform employment checks (e.g. the right to work in the UK)
- review staff performance
- monitor absence and sickness records in accordance with Trust policy and procedure
- enable individuals to be paid
- respond to statutory data collections (e.g. Department of Education School Workforce census)

In accordance with Article 6 and 9 of the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- to perform our contractual obligation to you or for us to take the necessary steps prior to entering into a contract with you
- to comply with legal obligations placed upon us



- to carry out a task in the public interest

Special Category personal data

In accordance with GDPR Article 9 (2) (a), consent will be obtained for the processing of Special Category personal data in the absence of any other legal basis for capturing information.

HR departmental files may also contain Special Category data in relation to health, sickness, maternity leave or paternity leave. These records will be kept in strict confidence and will not be released to third parties without consent except in extreme cases of emergency i.e Article 9 (2) (c) processing is necessary to protect the vital interests of the data subject.

Collecting workforce information

Workforce data is essential for the Trust and academy's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Storing workforce information

We hold personal data securely for the specified retention period shown in the Trust Records Management Policy & Procedures and in accordance with the Information & Records Management Society (IRMS) guidance, available upon request.

Who has access to your personal data?

Access to personnel files and personal data is subject to stringent controls by the Trust and the academy and processing of information is limited to the specific purpose for which the personal data is collected.

All staff accessing personal data are bound by obligations of confidentiality.

Where necessary, third parties may be responsible for processing staff members' personal information. Where this is required, the Trust and the academy ensure appropriate data protection requirements are in place, in accordance with current regulations to safeguard the privacy rights of all members of the workforce.

Who we share workforce information with

We routinely share this information with:

- the Department for Education (DfE)
- Payroll provider
- HMRC
- Pensions Services (Teachers & Support Staff)



Why we share workforce information

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

We do share personal data with the Department of Education (DfE) on a statutory basis. The data sharing underpins workforce policy monitoring, evaluation and links to academy funding, expenditure and the assessment of educational attainment.

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

For more information about the data collection requirements placed on us by the DfE, including the data that we share with them please see **'How Government uses your data'** section.

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 academy Data Protection Coordinator.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

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/>

For further information on how to request access to personal information held centrally by DfE, please see the **'How Government uses your data'** section of this notice.

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the academy Data Protection Coordinator.

Contact

If you would like further information regarding the privacy notice, please contact the academy Data Protection Coordinator or alternatively the Trust Data Protection Officer by email dpo@bkcat.co.uk, or by contacting the Trust Office:



The Bishop Konstant Catholic Academy Trust
The Zucchi Suite
Nostell Business Estate
Nostell
Wakefield
WF4 1AB
01924 802285

How 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 academy workforce
- links to academy 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 DfE 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 for Education

The DfE may share information about academy employees with third parties who promote the education or well-being of children or the effective deployment of academy 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 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 academy 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.



How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the DfE, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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

Monitoring and Review of this Policy

The Trust shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.



Appendix 1: Definitions

Term	Definition
<p>Personal data</p>	<p>Any information relating to an identified, or identifiable, individual.</p> <p>This may include the individual's:</p> <ul style="list-style-type: none"> • Name (including initials) • Identification number • Location data • Online identifier, such as a username <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
<p>Special categories of personal data</p>	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none"> • Racial or ethnic origin • Political opinions • Religious or philosophical beliefs • Trade union membership • Genetics • Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes • Health – physical or mental • Sex life or sexual orientation
<p>Processing</p>	<p>Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p>
<p>Data subject</p>	<p>The identified or identifiable individual whose personal data is held or processed.</p>
<p>Data controller</p>	<p>A person or organisation that determines the purposes and the means of processing of personal data.</p>
<p>Data processor</p>	<p>A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.</p>
<p>Personal data breach</p>	<p>A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.</p>