

Privacy Notice for non-directly employed staff

(Agency, Supply, Casual Workers)

We are the Education and Leadership Trust. As part of your ongoing placement in one of our schools, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their 'personal data'. This will include data that we obtain from you directly and data about you that we obtain from your employer (for example a recruitment agency), University and other organisations.

We might also need to continue to hold an individual's personal data for a period of time after leaving. Anything that we do with an individual's personal data is known as "processing". This document sets out what personal data we will gather and hold about individuals who work with us, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

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

- personal information (such as name, date of birth, teacher number, photograph, biometric fingerprint)
- address, email addresses, telephone numbers
- car details
- special category personal data including characteristics information (such as gender, racial or ethnic origin, physical and/or mental health, criminal/other court information)
- 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), and training undertaken
- DBS details (date, reference number, notes)

Why we collect and use this information

We use school workforce data to:

- comply with the school's safeguarding policies and procedures
- enable individuals to be paid
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- to comply with legal obligations e.g. school workforce census

The lawful basis on which we process this information

We process this information for particular purposes in connection with your employment or

engagement with us, and the management and administration of the Trust. We are required by law to always have a permitted reason or lawful basis for processing your personal data.

Processing of your personal data is:

- where you have given consent to the processing
- it is necessary for us to comply with legal obligations
- It is necessary for us to take steps, at your request, to potentially enter into an employment contract with you, or to perform it
- It is necessary for our legitimate interests or those of third parties

We are required by law to treat certain categories of personal data with even more care than usual. These are called special categories of personal data and different lawful basis apply to them.

Processing of your special category data is:

- where you give explicit consent to the processing
- it is necessary for preventative or occupational medicine, for the assessment of the working capacity of the employee us to comply with legal obligations
- it is necessary for reasons of substantial public interest
- it is necessary for data collection purposes (Departmental Censuses) is the Education Act 1996 – this information can be found in the guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Where our processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. If you decide to withdraw consent, we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case we will let you know.

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 school workforce information to us or if you have a choice in this.

Storing this information

We hold school workforce data for the duration of your employment with the school, plus for 7 years after the date of leaving. We may need to keep some basic information indefinitely such as full name, date of birth, address (at the time of your employment), dates of employment and position. We store your data electronically and/or in paper format.

Who we share this information with. We routinely share this information with:

- our Local Authority - Manchester City Council (MCC)
- the Department for Education (DfE)
- our payroll and DBS providers (MCC)
- pension providers (Greater Manchester Pension Fund/Teachers Pension Scheme)

Other organisations where your information may be shared with your consent, include: Edenred (employee benefits such as Childcare vouchers), health services (occupational health/medical assessment) and your future employer(s) in the form of a reference.

Why we share school workforce information

We share information about members of our workforce only when the law and our policies allow us to do so, or with your specific consent.

Local authority

We are required 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.

Department for Education (DfE)

We share personal data with 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 attainment.

We are required to share information about our staff 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 individuals 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 department 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. 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

All individuals have the right to request access to personal data that we hold about them. To make a request for access to their personal data, individuals should contact: Jenny Kennedy – Trust HR Director at jkennedy@eltrust.org Please also refer to our Data Protection Policy for further details on making requests for access to personal data.

Individuals also have the right, in certain circumstances, to:

- Object to the processing of their personal data
- Have inaccurate or incomplete personal data about them rectified
- Restrict processing of their personal data
- Object to the making of decisions about them taken by automated means
- Have your data transferred to another organisation
- Claim compensation for damage caused by a breach of their data protection rights

If an individual wants to exercise any of these rights then they should contact Jenny Kennedy – Trust HR Director. The law does not oblige the school to comply with all requests. If the school does not intend to comply with the request then the individual will be notified of the reasons why in writing.

How to complain

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.

If you have any concerns about our use of your personal information, you can make a complaint to us via the DPO: Mr Tom Powell, Head of Audit and Risk Management, Manchester City Council or email schools.dpo@manchester.gov.uk

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113