

GDPR Privacy Notice – Staff, governors/trustees & volunteers

1. Who processes your information?

Washwood Heath Multi Academy Trust (WHMAT) is committed to protecting your personal data and to respecting your privacy. It is the data controller of personal information that you provide to us & is responsible for deciding how information you provide us with is used.

Under data protection law, individuals have a right to be informed about how WHMAT uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at any of our academies within WHMAT.

Our external data protection officer comprises officers at Services4Schools and can be contacted at dpo@whmat.academy

2. What categories of staff/governance information does WHMAT process?

WHMAT collects and processes a range of information about you. This includes:

- personal identifiers & contacts such as your name, address and contact details, employee number, email address and telephone number & date of birth;
- characteristics (such as your ethnicity, gender & age)
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the organisation;
- information about your remuneration, including entitlement to benefits such as pensions;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, medical appointments, special leave of absence and sabbaticals, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which WHMAT needs to make reasonable adjustments;

- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.
- In the event that you resign from WHMAT and take part in a voluntary exit interview, information about how you view your base academy's working practices.

3. How do we collect this information?

WHMAT collects this information in a variety of ways. For example, data is collected through application forms, obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, WHMAT collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, and information from criminal records checks permitted by law.

4. Where is data stored?

Data is stored in a range of different places, including in your HR file, in WHMAT's HR management systems, such as HR portal and/or SIMs and in other IT systems (including our email system and/or Arbor management information system). We also store basic information in the systems we use to support teaching and learning. Information relating to Trustees and member of governance committees is also held in the Trust portal we use for managing meetings and decision making.

5. Why does WHMAT process personal data?

WHMAT needs to process the personal data of its employees to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you and to ensure your pension is administered through the appropriate scheme provider.

In some cases, WHMAT needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

As an education provider, it is also necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the role in question.

In other cases, WHMAT has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the WHMAT to:

- Undertake its responsibilities to deliver teaching and learning to students
- Discharge its duties in relation to safeguarding

- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- run recruitment and promotion processes;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace.

6. On what basis do we hold your data?

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data

Where WHMAT relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

Where WHMAT processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

Data that WHMAT uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

7. Who has access to data?

Your information will be shared internally, including with members of the HR and recruitment team, your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

WHMAT shares your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

WHMAT will also share your data with third parties such as:

- The Dfe
- Other government agencies (where required)
- The Local Authority (Birmingham City Council), who provide HR and payroll services to us and/or
- To the providers of our pension schemes (West Midlands Pension Fund or Teachers' Pensions Scheme) as appropriate.
- National Health Service & local NHS Trusts
- In the event of absence or health concerns, WHMAT may also share your data with approved occupational health providers, but we will ask you to consent to this beforehand.
- The providers of our entry systems
- The providers of our text messaging & communication systems
- The providers of our management information & finance systems
- Other systems that we use across our academies for the delivery of essential services (e.g. Safeguarding)
- Current, past & prospective employers
- School trip organisations
- Education/training bodies

8. Why we share workforce & governor information

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

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

9. 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.

The governor 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 governor 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.

10. 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>.

11. Sharing by the Department of Education

The Department of Education 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 of Education 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.

12. How does WHMAT protect data?

WHMAT takes the security of your data seriously. It has internal policies such as its GDPR Compliant Data Protection and Data Retention Policies in place, to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. All policies are available at www.whmat.academy policies tab.

Where WHMAT engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

13. How long does WHMAT keep data?

WHMAT will hold your personal data for the duration of your employment. The periods for which your data is held after the end of employment are set out in WHMAT's Data Retention Policy. This also clarifies how the data will be disposed of.

14. What are your rights?

As a data subject, you have a number of rights. For example, you can:

- access and obtain a copy of your data on request that we hold about you. To make a request for access to your personal information, contact our external DPO at dpo@whmat.academy or by writing to MAT Core Team, Washwood Heath Academy, Burney Lane, Stechford, Birmingham, B8 2AS. Please mark letters for the attention of the Data Protection Officer.
- Object to the 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
- Require WHMAT to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- Ask WHMAT to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override WHMAT's legitimate grounds for processing data.

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 question, concern or complaint about the way WHMAT is collecting or using your personal data, you should raise your concern with your local DPO first (see contact details below) at 15.

15. Local Data Protection Points of contact

Our local points of contact play a critical role in supporting with data protection issues on the ground and with maintaining communication with the external DPO – they are as follows:

Gurt Sanghera (Tile Cross Academy)

g.sanghera@tilecrossacademy.com

Ash Khan	(Saltley Academy)	staffakh@saltley.bham.sch.uk
Chris Davy	(Washwood Heath Academy)	cdavy@washwoodconnect.com
Lynsey Hedley	(Firs & Topcliffe Primaries)	lhedley@topcliffe.academy
Ashley Winters	(Brownmead & Gossey Lane Primaries)	awinters@brownmead.academy
Jamila Dogaru	(WHMAT Core Team)	jdogaru@whmat.academy

If you believe that WHMAT has not complied with your data protection rights, please contact the relevant data protection lead above in the first instance. Alternatively, you can contact the Information Commissioner's Office helpline on 0303 123 1113 or by email at <https://ico.org.uk/concerns/>

16. What if you do not provide personal data?

You have some obligations under your employment contract to provide WHMAT with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith.

You may also have to provide WHMAT with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable WHMAT to enter a contract of employment with you. If you do not provide other information, this will hinder WHMAT's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

*Please note that the use of the word governor in this privacy notice should be used interchangeably with WHMAT trustees.

Reviewed by GDPR Working Group/External DPO
April 2020