

# Privacy Notice

## (How we use school workforce information)



Under data protection law, individuals have a right to be informed about how The Pathway Academy Trust and/or their school, uses any personal data that is held about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing 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 our school.

We, The Pathway Academy Trust trading as Meopham Community Academy, Longfield Road, Meopham, Kent, DA13 0JW, are the 'data controller' for the purposes of data protection law.

The Trust's Data Protection Officer is:

**Name:** SPS DPO Services

**Email:** [sps-dpo-services@isystemsintegration.com](mailto:sps-dpo-services@isystemsintegration.com)

**Correspondence Address:** SPS SPO Services, iSystems Integration, Devonshire House, 29-31 Elmfield Road, Bromley, Kent BR1 1LT

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid.

### The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact details
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Employee or teacher numbers
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data (such as number of absences and reasons)
- Photographs
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs and sexual orientation
- Trade union membership
- Health, including any medical conditions, and sickness records

### Why we collect and use this data

The purpose of processing this data is to help us run the school and Trust, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring

- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Enable the development of a comprehensive picture of the workforce and how it is deployed

### The lawful basis on which we process this 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

Specifically, the legislation under which we process this information are:

- **Article 6(1)(b)** processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **Article 9(2)(b)** processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.
- **The Education Act 2005** – more information on this can be found at <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### 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, whenever we request information from you, we make it clear why we are collecting the information.

### Storing this information

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file for a period of six years in accordance with records retention guidelines for schools. At the end of this period, the file and its contents will be securely destroyed.

### Who we share this information with

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education – on a statutory basis as this data underpins workforce policy monitoring, evaluation, and links to school funding/expenditure and the assessment of

- educational attainment
- Other central or local government departments
- Your family or representatives
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Ofsted
- Our auditors
- The school photographer
- Police forces, courts or tribunals
- Health authorities, health and social welfare organisations
- Trade unions and associations
- Security organisations
- Survey and research organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Employment and recruitment agencies
- Other professional bodies

### **Data collection requirements from the Department for Education**

The DfE collects and processes personal data relating to those 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>

### **How to access personal information we hold about you**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

All subject access requests will be dealt with in line with the Subject Access Code of Practice and other guidance from the Information Commissioner's Office. You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact your school's Data Compliance Lead:

Shirley Tomkins stomkins@meophamca.com

### Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact your school's Data Compliance Lead:

Shirley Tomkins stomkins@meophamca.com

### Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance through your school's Data Compliance Lead:

Shirley Tomkins stomkins@meophamca.com

To make a complaint, please contact our Data Protection Officer.

**Name:** SPS DPO Services  
**Email:** [sps-dpo-services@systemsintegration.com](mailto:sps-dpo-services@systemsintegration.com)

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Further information

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

Your school's Data Compliance Lead:

Shirley Tomkins stomkins@meophamca.com

Our Data Protection Officer:

**Name:** SPS DPO Services  
**Email:** [sps-dpo-services@systemsintegration.com](mailto:sps-dpo-services@systemsintegration.com)