Privacy Notice for Staff

This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commission and sanctions and enforcement. The Data (Use and Access) Act further amends both the UK GDPR and Data Protection Act 2018 to modernise UK data protection rules and clarify certain rights and obligations. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all current and former employees, workers and contractors working in the Trust's central teams and in all Academies within the Trust.

Who Collects this Information

Ted Wragg Multi Academy Trust is the "Data Controller" for personal data processed across the Trust and its Academies. Individual Academies collect and use certain information on behalf of the Trust. This means the Trust decides how and why your personal information is used and is responsible for providing you with the information in this notice.

This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

Categories of Information We Collect, Process, Hold and Share

Depending on your employment status, we may collect, store and use the following categories of personal information about you:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that we retain during your employment including references, proof of right to work in the UK, application form, CV, qualifications;
- Employment contract information such as start dates, hours worked, post, roles;

- Education and training details;
- Details of salary and benefits including payment details, bank details, payroll records, tax status information, national insurance number, pension and benefits information;
- Details of any dependants;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;
- Information in your sickness and absence records such as number of absences and reasons (including sensitive personal information regarding your physical and/or mental health);
- Criminal records information as required by law to enable you to work with children;
- Information on grievances raised by or involving you;
- Information on conduct and/or other disciplinary issues involving you;
- Details of your appraisals, performance reviews and capability issues;
- Details of your time and attendance records;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Details of your use of business-related social media, such as LinkedIn;
- Images of staff captured by the Trust/Academy CCTV systems;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the Trust, you will be notified separately if this is to occur); and
- Details in references about you that we give to others;
- Recordings of staff from the Trust's/Academy's video conferencing platform

We may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Trade union membership.
- Information about your health, including any medical condition and sickness records, including:
    - where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
    - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave;
    - any health information in relation to a claim made under the permanent health insurance scheme; and
    - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- Information about criminal convictions and offences.
- Biometric data, where used by an Academy.

How We Collect this Information

We may collect this information from you in your application form, but we will also collect information in a number of different ways. This could be through the Home Office, our pension providers, medical and occupational health professionals we engage with, your trade union, the DBS, consultants and other professionals we may engage, e.g. to advise us generally and/or in relation to any grievance, conduct appraisal or performance review procedure, and even other employees. Information is also collected through CCTV, access control systems and any IT system the Trust has in place, such as email, communication systems, remote access systems, instant messaging and voicemail.

How and Why we use your Information

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided us with consent to process your personal data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

The situations in which we will process your personal information are listed below:

- To determine recruitment and selection decisions on prospective employees;
- In order to carry out effective performance of the employee's contract of employment and to maintain employment records;
- To comply with regulatory requirements and good employment practice;
- To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements;
- Enable the development of a comprehensive picture of the workforce and how it is deployed and managed;
- To enable management and planning of the workforce, including accounting and auditing;
- Personnel management including retention, sickness and attendance;
- Performance reviews, managing performance and determining performance requirements;
- In order to manage internal policy and procedure;
- Human resources administration including pensions, payroll and benefits;
- To determine qualifications for a particular job or task, including decisions about promotions;
- Evidence for possible disciplinary or grievance processes;
- Complying with legal obligations;
- To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding;
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;
- Education, training and development activities;
- To monitor compliance with equal opportunities legislation;
- To answer questions from insurers in respect of any insurance policies which relate to you;
- Determinations about continued employment or engagement;
- Arrangements for the termination of the working relationship;
- Dealing with post-termination arrangements;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the Trust in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Further information about workplace monitoring is available in the Trust's Code of Conduct and relevant staff policies.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as "special category data") requires higher levels of protection and further justification for collecting, storing and using. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

We will use this information in the following ways:

- Collecting information relating to leave of absence, which may include sickness absence or family related leave;
- To comply with employment and other laws;
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Sharing Data

We may need to share your data with third parties, including third party service providers where required by

law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following:

- the Department for Education (DfE);
- Ofsted;
- Prospective Employers;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- LADO;
- Training providers;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority;
- Occupational Health;
- DBS;
- Recruitment and supply agencies; and
- Other Academies within the Trust.
- Microsoft Education Services, including Microsoft 365, Teams, OneDrive, Copilot and Fabric, used for communication, collaboration and data management.

Information will be provided to those agencies securely or anonymised where possible.

We also use third-party HR, payroll, recruitment, training, occupational health, communications, information security and other workforce-management systems. These providers may process staff personal data on our behalf where necessary to provide their services. The information processed depends on the service used and appropriate data protection and security arrangements are required.

The recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK and the EU. Where we do so, we will ensure appropriate safeguards are in place (such as, EU Standard Contractual Clauses with the UK Addendum, adequacy decisions, or UK International Data Transfer Agreement). Further details of the safeguards in place for international data transfers can be provided upon request.

Retention Periods

Except as otherwise permitted or required by applicable law or regulation, the Trust only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once you are no longer a staff member at the Trust, we will retain and securely destroy your personal information in accordance with our Data Retention Policy, available under Data Protection Policies on the Data Protection Page.

Security

We have put in place measures to protect the security of your information, including against it being accidentally lost, used or accessed in an unauthorised way. We limit access to your personal information to employees, agents, contractors and other third parties who have a business need to know. Details of these

measures are available under Data Protection Policies on the Data Protection Page.

You can find further details of our security procedures within our Data Breach Policy available under Data Protection Policies on the Data Protection Page.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Staff will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

Biometric Data

Some Academies within the Trust use staff biometric information as part of an automated recognition system for catering. The Academies currently using biometrics are All Saints, Exmouth Community College, Honiton Community College, Sidmouth College and Tor Bridge High. Biometric information will only be processed once appropriate consent has been obtained. Further information is available in our Biometrics Policy on the Data Protection Page.

Your Rights of Access, Correction, Erasure and Restriction

Under certain circumstances, by law you have the right to:

- Access your personal information (commonly known as a "subject access request"). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- Correction of the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected.
- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it.
- Restriction of processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please contact dataprotection@tedwraggtrust.co.uk in writing. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

The Trust treats references connected to employment as confidential. Personal data contained in a confidential employment reference is exempt from certain data subject rights (including the right of access),

whether the Trust provides the reference or receives it.

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact dataprotection@tedwraggtrust.co.uk. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Contact

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, please contact dataprotection@tedwraggtrust.co.uk in the first instance. We will acknowledge your complaint within 30 calendar days and investigate and respond without undue delay. Further information is available in our Data Protection Policy on the Data Protection Page.

For routine HR or employment queries, please contact your Academy HR lead or the Trust HR team.

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection legislation and this privacy notice. If you have questions which cannot be resolved by the Trust Data Protection Team, you can contact the DPO using the details below:

Data Protection Officer:	Judicium Consulting Limited
Address:	5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email:	dataservices@judicium.com
Web:	www.judiciumeducation.co.uk

Should you remain dissatisfied with our response, you also have the right to make a complaint to the Information Commission's Office (ICO), the UK supervisory authority for data protection issues.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.