



Learn-AT
Learning ~ Fellowship

Privacy Notice for Learn-AT Staff

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Please note that this policy supersedes and replaces any equivalent policies or sections of policies. This policy is non contractual and can therefore be amended without consultation. Before you use this policy, please check you have the latest version using the footer reference and Learn-AT Policy Index.

This policy applies to all Learn Academies Trust schools and should be read in conjunction with the latest associated guidance issued by Learn-AT.

1. Who are we?

- 1.1. Learn Academies Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.
- 1.2. Learn Academies Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: ZA244768
- 1.3. You can contact the Academy Trust as the Data Controller in writing at: School Lane, Lubenham, Leicestershire, LE16 9TW or office@learnat.uk

2. What is a Privacy Notice?

- 2.1. A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

3. What is Personal Information?

- 3.1. Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.
- 3.2. 'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

4. What personal information do we process about staff?

- 4.1. 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 numbers

- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right-to-work documentation, references and other information included in a CV or cover letter or 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
- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system
- Video images of employees captured during recorded online lessons, meetings and events and stored securely within the Microsoft Teams digital platform.
- Performance information, outcomes of any capability, disciplinary or grievance procedures.
- Copies of your right-to-work documents, including documents used to verify your identity.
- We may also collect, use, store, and share (when appropriate) information about criminal convictions and offences

4.2. 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, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

5. For what purposes do we use personal information?

5.1. We use the data listed above 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
- To facilitate the provision of remote education in accordance with our legal obligations under the Coronavirus Act 2020 - Provision of Remote Education Temporary Continuity Direction
- To facilitate the provision of online communication, collaboration and CPDL for all members of staff
- Data collected regarding low-level concerns refer to your School Child Protection Policy for further information

6. Collecting staff information

- 6.1. Whilst the majority of staff information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the [UK General Data Protection Regulations](#), we will inform you whether you are required to provide certain staff information to us or if you have a choice in this.

7. What are the legal reasons for us to process your personal information?

- 7.1. We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

1) To comply with the law

- 7.2. We collect and use general-purpose staff information in order to meet certain legal requirements and legal obligations placed upon the trust by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.
- 7.3. Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

2) To protect someone's vital interests

- 7.4. We are able to process personal information when there is an emergency and/or where a person's life is in danger.
- 7.5. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

- 7.6. Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.
- 7.7. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

- 7.8. It is a day-to-day function of the trust to ensure that staff members receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.
- 7.9. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.
- 5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract
- 7.10. We are able to process personal information in order to comply with the contract that we have with you.
- 7.11. Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 5.

8. Special category personal information

- 8.1. In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:
- Explicit consent of the data subject
 - Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
 - Processing relates to personal data which is manifestly made public by the data subject
 - Necessary for establishing, exercising or defending legal claims
 - Necessary for reasons of substantial public interest
 - Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
 - Necessary for archiving, historical research or statistical purposes in the public interest
- 8.2. The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

9. Who might we share your information with?

- 9.1. We routinely share staff information with:
- our local authority
 - the Department for Education (DfE)
 - Where appropriate, parents, carers and pupils.
- 9.2. We do not share information about our staff unless the law and our policies allow us to do so.
- 9.3. Please refer to the tables for information about what personal information is shared with which specific third parties.

10. Data Collection Requirements

- 10.1. The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.
- 10.2. We are required to share information about our school employees with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- 10.3. To find out about the data collection requirements placed on us by the Department for Education including the data that we share with them, please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

11. What do we do with your information?

- 11.1. All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

12. How long do we keep your information for?

- 12.1. In retaining personal information, the trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information. A copy of those schedules can be located using the following link: <http://irms.org.uk/page/SchoolsToolkit>

13. Transferring data internationally

- 13.1. Where we transfer personal data to a country or territory outside of the UK, we will do so in accordance with data protection legislation.

14. What are your rights with respect of your personal information?

- 14.1. Under data protection law, staff members have the right to request access to information about them that we hold. To make a request for your personal information contact the School Data Protection Officer at Warwickshire Legal Services via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick CV34 4RL

****Please ensure you specify which school your request relates to.**

- 14.2. You also have the right to:
- In certain circumstances, 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
 - to request the deletion or removal of personal data where there is no compelling reason for its continued processing
 - to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
 - in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
 - claim compensation for damages caused by a breach of the Data Protection regulations
- 14.3. If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>
- 14.4. **Subject Access Request**
- 14.4.1. The form for submitting a Subject Access Request can be found on the Learn AT website at <http://www.learnat.uk>

15. Data Tables:

15.1. The tables below set out the types of processing carried out by the school/Academy Trust and lawful reasons for doing so.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category–additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Staff information, including personal details, N.I number, DBS checks, qualifications, verification of right to work in the U.K	Education Act 2005, Section 114 and accompanying regulations		Secretary of State, Local Authority, Disclosure & Barring Service	Legal Obligation
School workforce Census including staff personal details	Education Act 2005, Section 114 and accompanying regulations		Department of Education	Legal Obligation
School workforce Census – Staff Ethnicity	Education Act 2005, Section 114 and accompanying regulations	Necessary for reasons of substantial public interest.	Department of Education	Legal Obligation
Accident Records	Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013 (RIDDOR)		Health & Safety Executive, and Local Authority Health & Safety team (where necessary)	Legal Obligation
Individual Staff Health & Safety Risk Assessments and Personal Emergency Evacuation Plans (PEEP)	Health and Safety at Work etc Act 1974 and accompanying legislation		Not shared externally	

Qualifying Complaint Information	Education Act 2005, Section 11B		Chief Inspector	Legal Obligation
Verification of Right to work in the U.K (Single Central Record)	Immigration, Asylum and Nationality Act 2006, Section 15		Local Authority, Ofsted	Legal Obligation

Table 2 – Personal information we are required to process as it is necessary to protect someone's vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical Information	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent OR Necessary for preventative/ occupational medicine	Medical staff i.e. paramedics/ambulance Responsible/First aid trained staff on residential trips	Vital Interest
Staff Dietary Requirements (food allergies)	Necessary for preventative/ occupational medicine	Medical staff i.e. paramedics/ambulance	Vital Interest
Medical Conditions & Staff Emergency Contact Details	Necessary for preventative/ occupational medicine	Medical staff i.e. paramedics/ambulance Responsible/First aid trained staff on residential trips	Vital Interest
Religious belief	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Medical staff i.e. paramedics/ambulance	Vital Interest

Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs' - Please note, you have the right to withdraw your consent for us to process your data in this way at any time.

Information Type	Third Parties with whom we share the information	Lawful reason for sharing
Photographs	Local Press/Media, Staff Medical Noticeboard, Parents & Community (Newsletter, School Website, social media platforms, Annual Prospectus, Internal school displays, staff photo board).	Consent
Staff Email address and mobile number	Parents, and other members of staff	Public Task

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task. You have the right to object or restrict processing that is carried out for the purposes of Public Task – However, please note that this is not an absolute right and would only apply in certain circumstances.

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Attendance Records at staff meetings and staff training		Not shared externally	Public Task
Staff personal characteristics i.e Religion/Gender/Ethnicity	Necessary for reasons of substantial public interest	Local Authority – Confidential Recruitment Monitoring, Diocesan Education Service annual census	Public Task & Statistical Purposes
Medical Conditions (including allergies)	Necessary for preventive or occupational medicine.	Medical staff i.e. paramedics/ambulance,	Vital Interests
Information relating to Trade	Article 9 (2)	Parents, Governors and other	Public

Union Membership where there is industrial action that may impact the function of the school including class and/or school closures.	(b) <i>Employment and social security and social protection law</i>	members of staff	Task
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Table 5 - Personal information we are required to process because of a contract we have with you or because you have asked us to take specific steps before entering into a contract

Information Type	Third Parties with whom we share the information	Lawful reason for sharing
Recruitment Information – Application forms, interview notes, Medical questionnaires & references	Local Authority & Ofsted	Public Task / Legal Obligation
Absence Records (including number of absences, reasons for absence & self-certifications forms)	Local Authority – HR & Payroll Team	Public Task
Disciplinary action taken	Local Authority – HR advisory team where relevant	Public Task
Grievances	Local Authority – HR advisory team where relevant	Public Task
Staff Information i.e name D.O.B, address, contact details, Emergency contact details	Department of Education – school workforce census.	Legal Obligation
P45 Forms	Local Authority – HR & Payroll team	Public Task
Consent Forms i.e UK GDPR, Policy Agreement	Not shared externally	
Staff personal bank details	Local Authority requirement for Payroll System	Contract
Appraisal Records, appraisal notes, feedback from colleagues, objectives,	Not shared externally	

updated job descriptions, pay & promotion recommendations		
Staff information, including personal details, N.I number, DBS, Address, Phone number.	Secretary of State, Local Authority, Disclosure & Barring Service,	Legal Obligation