



## **QUEST (A Church of England Schools Trust)**

### **Privacy notice for the school workforce – September 2022**

QUEST and its schools is committed to protecting the privacy and security of personal information.

Under data protection/ GDPR law, individuals have a right to be informed about how the Trust uses any personal data that we hold 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 Trust.

We, QUEST, are the 'data controller' for the purposes of data protection law and our data protection officer is Nina Christopher, (see 'Contact us' below).

#### **The personal data we collect, hold and share**

We process data relating to those we employ, or otherwise engage, to work at our Trust. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your name, address and contact details, including email address and telephone number, date of birth and gender and marital status.
- 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.
- 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.
- Training records and professional memberships.
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover.
- Details of your enhanced DBS disclosure and any criminal records.
- Details of your bank account, Payroll records and national insurance number and tax status information.
- Information about your next of kin, dependents and emergency contacts.
- Information about your nationality and entitlement to work in the UK.
- 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, family leave 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.
- Performance improvement plans and related correspondence.
- Copy of driving licence.
- Photographs.
- CCTV footage.
- Data about your use of the Trust'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, sexual orientation and political opinions
- Trade union membership
- Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments.

The Trust may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; 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 (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Trust may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from the Department for Education and information from criminal records checks permitted by our safeguarding procedures to promote the welfare of children.

Data will be stored in a range of different places, including in your personnel file, in the organisation's HR management systems and in other IT systems (including the Trust's email system).

### **Why we collect and use this information**

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

- Enter into an employment contract with you to enable you to be paid.
- Ensure we are complying with our legal obligations, e.g to check an employee is entitled to work in the UK, to deduct tax and to comply with H&S laws.
- 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.
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- 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.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Ensure effective general HR and business administration
- Provide references on request for current or former employees
- Respond to and defend against legal claims
- Allow better financial modelling and planning
- Enable equalities monitoring
- Support the work of the School Teachers' Review Body

### **Our lawful basis for using 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

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 personal data before, during and after the end of the employment relationship.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. See the section on Right to Withdraw consent which explains how consent can be withdrawn.

Some of the reasons listed above for collecting and using personal information about you overlap and there may be several grounds which justify the Trust'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, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

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.

### **How we store this data**

Personal data is stored in line with the Trust's GDPR Data Protection Policy.

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 and delete the information in it in accordance with our Data Protection Policy available on our website.

## Data sharing

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 and information about our workforce members under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- The Department for Education – to meet our legal obligations to share certain information on a statutory basis under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. This data sharing underpins workforce policy monitoring and evaluation and links to school funding/expenditure and the assessment of educational attainment.
- Internally, and with members of the Trust's business development department to meet our contractual obligations.
- Educators, examining bodies and Ofsted.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, e.g, Schappit Ltd for Piota staff app, Wigan HR for payroll, casework and HR services, Capita Sims for IT records.
- Financial organisations
- Our auditors
- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

## Data collection requirements

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>

## Transferring data internationally

If we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **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/Trust holds about them. To make a request for your personal information contact Janice Jones, our Data protection officer.

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 our Data Protection Officer.

### **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 our Data Protection Officer.

### **Right to withdraw consent**

In 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 our Data Protection Officer.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Complaints**

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.

Alternatively, you can contact the information commissioner's office at <https://ico.org.uk/concerns/>

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**: Nina Christopher at QUEST Head office on 01942 834000 or by email [n.christopher@questrust.org.uk](mailto:n.christopher@questrust.org.uk) or by post to 682 Atherton Road, Hindley Green, Wigan, WN2 4SQ.