

UTC South Durham

## Privacy Notice for Staff



Under the Data Protection act 1999 and the General Data Protection Regulations May 2018, individuals have a right to be informed about how UTC South Durham uses any personal data that we hold about them. We comply with this right by providing a 'privacy notice' 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.

UTC South Durham are the 'data controller' for the purposes of data protection law.

### **Our data protection officer (DPO) is:**

Jean Bell who is contactable on 01325 430250 (ext 253) or via e-mail on [jean.bell@utcsouthdurham.org](mailto:jean.bell@utcsouthdurham.org)

### **The personal data we hold**

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

- Name and 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 your application form 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 (if applicable)
- Data about your use of the school's information and communications system

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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
- Criminal records
- Trade union membership
- Health, including any medical conditions, and sickness records

### **Why we use this data**

The purpose of processing this data is to enable us run the UTC effectively, 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 equalities monitoring
- Improve the management of workforce data across the sector

### **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:

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

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

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

Where we have asked you to provide us with consent to use your data, you may withdraw this consent at any time. You may do this in writing via mail or e-mail to the DPO at UTC South Durham using the contact details above.

Some of the legal basis listed above for collecting and using personal information about you overlap, and where this occurs the legal basis will be applied in the order listed above.

### **Collecting this information**

While the majority of information we collect from you is mandatory and allows us to carry out our legal task of educating students or fulfil our contract with you, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we will make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

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

Personal data is stored in line with our 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. Only authorised personnel have access to your file.

There is also an electronic file on the MIS which allows us to comply with Government returns and the effective running of the school and HR processes. Our contract with our MIS system ensures that they hold your data in a manner which is GDPR compliant.

Once your employment with us has ended, we will retain these file and delete the information in it in accordance with our Record Retention schedule. All sensitive data will be removed and only information that will support references, our legal obligations to HMRC or to support legal action will be retained

## 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:

- Department of Education – we share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment. We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (England) Regulations 2007 and amendments
- Local Authority – we are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (England) Regulations 2007 and amendments
- Our regulator [e.g. Ofsted] – to meet our legal obligations to share certain information during the inspection process
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Our auditors – to enable them to provide the service we have contracted them for
- Survey and research organisations – to enable them to provide the service we have contracted them for
- Trade unions and associations – to support you during employment processes
- Health authorities – to enable them to provide the service we have contracted them for
- Security organisations – to enable them to provide the service we have contracted them for
- Health and social welfare organisations – to meet our legal obligations to share certain information with it, such as child protection information
- Professional advisers and consultants – to enable them to provide the service we have contracted them for
- Police forces, courts, tribunals – to meet our legal obligations to share certain information with it, such as CCTV footage or contact information
- Professional bodies - to meet our legal obligations to share certain information with it, such as the Teaching Council

## Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law. We currently have no contracts which transfer data outside of the EEA.

## Your rights

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

Individuals have a right to make a **'subject access request'** to gain access to the 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

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 DPO in writing or by e-mail.

### 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 DPO.

## 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.

To make a complaint, please contact our DPO.

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

## Contact us

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