

## Privacy notice for Staff

Person responsible for this document:	
Compliance Department	
Reviewed by:	Date:
L Duke	Jan 2024
Approved by:	Date:
J Culham	Jan 2024
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Under data protection law, individuals have a right to be informed about how the University of Kent Academies Trust (UKAT) 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 Academy.

The University of Kent Academies Trust (UKAT) is the 'data controller' for the purposes of data protection law.

Our data protection officer is Julia Culham (see 'Contact us' below).

## **The personal data we hold**

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

- Contact details, contact preferences, date of birth, identification documents
- 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 an application form, CV or cover letter or as part of the application process
- Details of any medical conditions, including physical and mental health
- Absence and performance information
- Outcomes of any disciplinary and/or grievance procedures
- Photograph and bio-metrics
- Copy of driving licence
- CCTV footage
- Data about your use of the school's information and communications system

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Details of any medical conditions, including physical and mental health
- Sickness records
- Trade union membership
- Information about your religious beliefs and sexual orientation

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about staff that we have received from other organisations, including other schools, local authorities and the Department for Education.

## **Why we use this data**

We use this data to:

- Enable you to be paid
- Facilitate safe and fair recruitment
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of staff data across the sector
- Support the work of the School Teachers' Review Body
- Staff Security Pass
- Comply with health and safety regulations

## **Our legal basis for using this data**

We only collect and use staff personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process staff personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use staff personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using staff personal data overlap, and there may be several grounds which justify our use of this data.

## **Our basis for using special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing, as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need protect an individual's vital interests (i.e., protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims

- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law.

Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interest (i.e., protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights to make decisions regarding suitability for the role
- We need to process it for reasons of substantial public interest as defined in legislation

## **Collecting this information**

While the majority of information we collect about staff is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **How we store this data**

We keep personal information about staff while they work at the Trust. We may also keep it beyond their employment at the Trust if this is necessary in order to comply with our legal obligations. Our Records of Retention Policy sets out how long we keep information about staff and is available on request from the Data Protection Officer.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it in accordance with the UKAT Record of Retention Policy.

## **Data sharing**

We do not share information about staff with any third party without 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 staff with:

- Medway Local Authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education and other agencies - to meet our legal obligations to share certain information with it, such as for the School Workforce Census
- Ofsted
- Financial organisations
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as (but not limited to) payroll, Benenden Healthcare, KCC Pensions, Teachers' Pensions, Disclosure Service (for the provision of DBS checking which is a statutory obligation), Occupational Health providers (for the provision of pre-employment health screening and for any such referrals as necessary during employment)
- Our auditors
- Survey and research organisations
- Trade Unions
- Health authorities
- Security organisations
- University of Kent – our sponsors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Medway Education Business Partnerships
- Other employers – to fulfill our obligation to provide factual information for employment references from potential future employers

## **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.

## **Staff rights regarding personal data**

Individuals have a right to make a 'subject access request' to gain access to personal information that UKAT holds about them.

If you make a subject access request, and if we do hold information about you or your child, 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 or your child
- 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

Individuals also have the right for their 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.

## **Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. Further information can be accessed on the ICO website <https://ico.org.uk/>

## **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.

## **Marketing Opt-Out**

You can update or opt-out of our marketing communications at any time by contacting the UKAT Compliance Team: [compliance@universityofkentacademiestrust.org.uk](mailto:compliance@universityofkentacademiestrust.org.uk)

## **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: Julia Culham at [compliance@universityofkentacademiestrust.org.uk](mailto:compliance@universityofkentacademiestrust.org.uk)

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