**THE BISHOP WHEELER CATHOLIC ACADEMY TRUST GDPR PRIVACY NOTICE FOR STAFF**

The purpose of this privacy notice is to explain how your personal information may be used. We take your privacy seriously and you can find out more here about your privacy rights and how we gather and use your personal data – that includes the personal data we already hold about you now and any additional personal data we might collect about you, either directly from you or from a third party. We will always take into account your interests and rights when processing your personal data.

When we say ‘we’, this refers to The Bishop Wheeler Catholic Academy Trust (BWCAT) and all the schools within the Trust.

**Who processes your personal information?**

BWCAT is the ‘data controller’ of the personal data we process. This means that we determine the purposes and the manner in which any personal data relating to you is processed. The Headteacher in each of the BWCAT schools acts as a representative for the school with regard to its data controller responsibilities.

In some cases, some of your personal data will be outsourced to a third party ‘data processor’ (this means that they process your information on our behalf); however, this will only be done with your consent, unless the law requires us to share your data. Where we outsource data to a third-party processor, the same data protection standards that BWCAT upholds are imposed on the data processor.

**Why do we collect and use your information?**

BWCAT has a legal right to collect and use certain personal data relating to you; those we employ to work or those otherwise contracted to work at BWCAT or its schools. We process your personal data in order to meet legal, contractual, safeguarding obligations and fulfil public duties set out in UK employment and childcare law, including those in relation to the following:

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| * Academy Funding Agreement | * The Childcare (Disqualification) Regulations 2009 |
| * Academy’s legal framework | * Equality Act 2010 |
| * The Childcare (Disqualification) Regulations 2009 | * Safeguarding Vulnerable Groups Act 2006 |
| * Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 | |

Most of your personal data is processed for the reason of contract of employment. As a school we also process some of your personal data to fulfil our duties as a school; for administrative purposes. We also have legal obligations as a school such as providing the Department for Work & Pensions with some personal data or fulfilling our legal safeguarding obligations. We may also have a legitimate reason for processing your personal data, such as CCTV footage; in order to provide a safe and secure environment.

**What data is collected and how**

We use your personal data for some or all of the following purposes:

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| --- | --- | --- |
| To manage human resource functions; | to fulfil safeguarding obligations such as DBS; | to enable ethnicity and disability monitoring; |
| to comply with the law such as paying National Insurance; | to provide workforce information; | to comply with employment law; |
| to assess the quality of our services; | to allow financial modelling and planning; | to comply with the law regarding data sharing; |
| to aid continual professional development; | to undertake performance management; | to comply with safer recruitment; |
| to administer IT functions and facilities and monitor usage; | to fulfil contractual obligations with you; | to fulfil contractual obligations with third parties; |
| to monitor equal opportunities; | to support teaching and learning; | to prevent and detect crime and safeguard; |
| to monitor recruitment and retention; | to provide well-being and support services; | to confirm your identity; |
| to communicate with you; | to prevent and detect fraud and corruption in the use of public funds | |

Much of the personal data we hold about you is provided by you when you apply for a job. Some information is provided to us by other sources such as your referees, your line manager or National College for Teaching and Leadership. The categories of personal data that we process include:

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| Personal information - | e.g. Name, date of birth and gender |
| Contact information - | e.g. address, Email address, telephone number |
| Emergency information - | e.g. next of kin/other contact personal and contact information |
| Characteristics - | e.g. ethnicity, religion, gender, marital status, nationality, language |
| Absence from work information - | e.g. annual/special leave and sickness information |
| Contractual and remuneration - | e.g. post, role, salary grade and amount, hours and days worked, bank details, pension details |
| Qualifications and training - | e.g. certificates, training records, qualification details |
| Medical and health - | e.g. disabilities, illnesses, allergies, medication, medical and health reports, accidents, injuries |
| Photographs - | e.g. used for identity as well as for use on newsletters, communications and school information |
| Operational - | e.g. CCTV footage, IP address, work devices and internet usage |
| Financial | e.g. bank accounts details for salaries and debits of trade union memberships when requested |
| Performance Management - | e.g. career progress details, disciplinary and grievance proceedings |
| Safer recruitment information - | e.g. ‘right to work’ documentation, references, application form, qualifications, immigration status, employment history, previous and current employment information including salary and location |
| Other staff data (not covered above) - | e.g. languages, driving licence information, information about your use of our information and communications systems. |

Special protection is given to certain kinds of personal data that is particularly sensitive. This is called ‘special category data’. BWCAT processes special category data about members of staffs’ health, racial or ethnic origin, trade union membership and religion. We may process special categories of personal data in the following circumstances:

* With your explicit written consent.
* Where we need to carry out our obligations as an employer in the field of employment and social security law.
* 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 personal data where it is needed in relation to legal claims or where it is needed to protect your vital interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and our public duties as a school. Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We will only collect personal data 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 personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.]

Staff members’ personal data may be obtained and processed from third parties where the law requires the school to do so, e.g. medical records from a GP. The categories of data obtained and processed from third parties include:

* Criminal information – e.g. DBS details
* Relevant medical and health information
* Pension information
* Information contained within references

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. We will ask for your consent to use that personal data when consent is needed. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. Where consent is required, we will provide you with specific and explicit information with regards to the reasons the data is being collected and explain how the data will be used. We do not need your consent if we use your special category personal data in accordance with our rights and obligations in the field of employment and social security law. Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time. Details of how to do this are on the Consent Form.

**How long is your personal data kept?**

We hold your personal data from the point that you make an application for a job or make an enquiry about a job. BWCAT does not store personal data indefinitely; data may be retained for varying periods depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely. Staff personal data is stored in line with the BWCAT Record Management Policy

**Will your personal data be shared?**

We do not share information about you with anyone without consent, unless the law and our policies allow us to do so. Within your place of work, the Trust, personal data may be shared between third party colleagues who legitimately need the information to carry out their duties. For example, the Occupational Health service may seek information from departments or share information with Human Resources about fitness to work. The amount of personal information shared will be no more than is reasonably necessary.

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 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 security 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](https://www.gov.uk/data-protection-how-we-collect-and-share-research-data%20). To contact the department, please visit: <https://www.gov.uk/contact-dfe>

We also share some personal data with the following third parties to fulfil our duties as a school and employer:

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| The Diocese of Leeds | The National College of Teaching and Learning | HM Revenue and Customs | |
| Occupational Health | Ofsted | Third party IT providers and software programmes | |
| The Department for Work & Pensions | The Local Authority | Trustees, Academy Councils and Directors | |
| The Department for Education | BWCAT appointed payroll provider | BWCAT appointed pension providers | |
| BWCAT appointed insurers | BWCAT appointed solicitors | Catholic Education Service | |
| Disclosure and Barring Service |  |  |

**Your rights**

You have various rights under Data Protection Law to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but subject to certain exemptions and limitations.

If you would like to access or us to amend your personal data, or would like it to be transferred to another person or organisation, or have some other objection to how your personal data is used, please contact the Headteacher or your line manager. We will to respond to any such written requests within one month. Where this is not possible, we will write to you explaining why. There is ordinarily no charge for this. However, if the request is manifestly excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege.

If you have a concern about how BWCAT is processing your personal data, you can speak to the Headteacher at the school or the Trust Data Protection Officer: telephone 01943 883 000 or email dpo@bwcat.org. You can also make a complaint to the ICO (Information Commissioners Office). You can telephone them on 0303 123 1113, Monday to Friday between 9am and 5pm (excluding bank holidays) or visit <https://ico.org.uk/concerns/handling/>

More information about your rights can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

**Data outside of the UK**

Some of your personal data may be transferred outside the UK to other companies and service providers in countries where data protection laws may not provide the same level of protection as those in the UK, such as the USA.

We will only transfer your personal information outside the UK with countries the UK Information Commissioners Office deems safe and have adequate protection in place., or we have put in place our own measures to ensure adequate security as required by data protection law. These measures include ensuring that your personal information is kept safe by carrying out checks on our partners and suppliers.

When we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure.

**Data Protection Officer**

The Trust’s Data Protection Officer (DPO) is Jemma Johnson. The role of the DPO role is to oversee and monitor the school’s data protection procedures and to ensure they are compliant with the GDPR. The Data Protection Officer can be contacted at [dpo@bwcat.org](mailto:dpo@bwcat.org) or 01943 883000.

**Contact**

If you wish to speak to us regarding your data, please contact your Headteacher or Line Manager in the first instance.

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