

PRIVACY NOTICE FOR STAFF OF THE COLLEGIATE TRUST

This privacy notice describes how *The Collegiate Trust* (hereafter referred to as *TCT* or *the Trust* and always meaning the Trust collectively and each school within the Trust) will collect and use personal information about you during and after your relationship with the Trust, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all current and former employees.

Who Collects this Information?

The Collegiate Trust is the “data controller.” This means that the Trust is responsible for deciding how it holds and uses personal information about you. The Trust is required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services and the Trust may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why the Trust are processing your information, what your rights are under data protection legislation and the procedures that are taken to protect your personal data.

Data Protection Principles

The Trust will comply with the data protection principles when gathering and using personal information, as set out in the data protection policy, which can be found on the Trust website [The Collegiate Trust | Exceptional Education for All \(tct-academies.org\)](https://www.tct-academies.org)

Categories of Information the Trust Collect, Process, Hold and Share

The Trust may collect, store and use the following categories of personal information about you:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that is retained during your employment including references, proof of right to work in the UK, application form, CV, qualifications;
- Employment contract information such as start dates, hours worked, post, roles;
- Education and training details;
- Details of salary and benefits including payment details, payroll records, tax status information, national insurance number, pension and benefits information;
- Details of any dependants;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;
- Information in your sickness and absence records such as number of absences and reasons (including sensitive personal information regarding your physical and/or mental health);
- Criminal records information as required by law to enable you to work with children;
- Information on grievances raised by or involving you;
- Information on conduct and/or other disciplinary issues involving you;
- Details of your appraisals, performance reviews and capability issues;
- Details of your time and attendance records;

- Information about the use of the IT, communications and other systems, and other monitoring information;
- Details of your use of business-related social media;
- Images of staff captured by the School's CCTV system;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur); and
- Details in references about you that the Trust gives to other;
- Recordings of staff from the School's video conferencing platform

The Trust may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Trade union membership.
- Information about your health, including any medical condition and sickness records, including:
 - where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; [and]
 - any health information in relation to a claim made under the permanent health insurance scheme; and
 - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

How Information is Collected

The Trust may collect this information from you in your application form, but will also collect information in a number of different ways. This could be through the Home Office, the pension providers, medical and occupational health professionals the Trust engages with, your trade union, and even other employees. Information is also collected through CCTV, access control systems and any IT system the school has in place.

How Your Information is Used

The Trust will only use your personal information when the law allows. Most commonly, the Trust use your information in the following circumstances:

- Where the Trust needs to perform the contract it has entered into with you;
- Where the Trust needs to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided consent to process your personal data.

The Trust needs all the categories of information in the list above primarily to enable to comply with legal obligations with the contract.

The situations in which the Trust will process your personal information are listed below:

- To determine recruitment and selection decisions on prospective employees;
- In order to carry out effective performance of the employees contract of employment and to maintain employment records;
- To comply with regulatory requirements and good employment practice;
- To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements;
- Enable the development of a comprehensive picture of the workforce and how it is deployed and managed;

- To enable management and planning of the workforce, including accounting and auditing;
- Personnel management including retention, sickness and attendance;
- Performance reviews, managing performance and determining performance requirements;
- In order to manage internal policy and procedure;
- Human resources administration including pensions, payroll and benefits;
- To determine qualifications for a particular job or task, including decisions about promotions;
- Evidence for possible disciplinary or grievance processes;
- Complying with legal obligations;
- To monitor and manage staff access to the systems and facilities in order to protect the networks, the personal data of the Trusts employees and for the purposes of safeguarding;
- To monitor and protect the security of the network and information, including preventing unauthorised access to the computer network and communications systems and preventing malicious software distribution;
- Education, training and development activities;
- To monitor compliance with equal opportunities legislation;
- To answer questions from insurers in respect of any insurance policies which relate to you;
- Determinations about continued employment or engagement;
- Arrangements for the termination of the working relationship;
- Dealing with post-termination arrangements;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify the Trust's use of your personal information.

If you fail to provide certain information when requested, the Trust may not be able to perform the contract that has been entered into with you, or the Trust may be prevented from complying with its legal obligations.

The Trust will only use your personal information for the purposes for which it is collected, unless it is reasonable to consider that this is needed to be used for another reason and that reason is compatible with the original purpose.

How Particularly Sensitive Personal Information is Used

Sensitive personal information (as defined under the UK GDPR as "special category data") requires higher levels of protection and further justification for collecting, storing and using. The Trust may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where the Trust needs to carry out its legal obligations in line with the data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to the pension scheme);
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, the Trust may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

The Trust will use this information in the following ways:

- Collecting information relating to leave of absence, which may include sickness absence or family related leave;
- To comply with employment and other laws;
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;

- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations.

Criminal Convictions

The Trust may only use information relating to criminal convictions where the law allows it to do so. This will usually be where it is necessary to carry out the Trusts legal obligations. The Trust will only collect information about criminal convictions if it is appropriate given the nature of the role and where it is legally able to do so.

Where appropriate the Trust will collect information about criminal convictions as part of the recruitment process or may be notified of such information directly by you in the course of working for us.

Sharing Data

The Trust may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where the Trust has another legitimate interest in doing so. These include the following:

- the Department for Education (DfE);
- Ofsted;
- Prospective Employers;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- LADO;
- Training providers;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority;
- Occupational Health;
- DBS;
- Recruitment and supply agencies; and

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; the Trust require them to respect the security of your data and to treat it in accordance with the law.

The Trust may transfer your personal information outside the UK and the EU. If this happens, you can expect a similar degree of protection in respect of your personal information.

Retention Periods

Except as otherwise permitted or required by applicable law or regulation, the Trust only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once you are no longer a staff member, the Trust will retain and securely destroy your personal information in accordance with the data retention policy. This can be found on The Collegiate Trust website.

Security

The Trust has put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, there is limited access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

You can find further details of security procedures within the data breach policy which can be found on The Collegiate Trust website.

It is important that the personal information held about you is accurate and current. Please keep the Trust informed if your personal information changes during your working relationship with us.

Your Rights of Access, Correction, Erasure and Restriction

Under certain circumstances, by law you have the right to:

- Access your personal information (commonly known as a “subject access request”). This allows you to receive a copy of the personal information that is held about you and to check the Trust is lawfully processing it. You will not have to pay a fee to access your personal information. However, the Trust may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, the Trust may refuse to comply with the request in such circumstances.
- Correction of the personal information held about you. This enables you to have any inaccurate information held about you corrected.
- Erasure of your personal information. You can ask the Trust to delete or remove personal data if there is no good reason for the continuing process of it.
- Restriction of processing your personal information. You can ask the Trust to suspend processing personal information about you in certain circumstances, for example, if you want to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please contact the Governance and Compliance Manager via DataProtection@tct-academies.org

The Trust may need to request specific information from you to help confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Right to Withdraw Consent

In the limited 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 the HR team at HR@tct-academies.org

Once a notification has been received that you have withdrawn your consent, the Trust will no longer process your information for the purpose or purposes you originally agreed to, unless there is another legitimate basis for doing so in law.

How to Raise a Concern

The Trust hopes that the HR team can resolve any query you raise about the use of your information in the first instance.

The Governance and Compliance Manager oversees compliance for data protection and this privacy notice, with the support of Judicium who are the Trust’s named Data Protection Officer (DPO). If you have any questions about how the Trust handles your personal information which cannot be resolved by the HR team, then you can contact the Governance and Compliance Manager via DataProtection@tct-academies.org

The Governance and Compliance Manager will work with the DPO to resolve your query.

Data Protection Officer: Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner’s Office, the UK supervisory authority for data protection issues: -

Changes to this Privacy Notice

The Trust reserves the right to update this privacy notice at any time and will inform you of any substantial updates. The Trust may also notify you in other ways from time to time about the processing of your personal information.