

# Staff Data Protection Privacy Notice

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**Privacy Notice for the school workforce**

Under data protection law, individuals have a right to be informed about how the school 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 or volunteer at our school.

We, James Brindley Academy, Bell Barn Road, Edgbaston Birmingham B15 2AF, are the ‘data controller’ for the purposes of data protection law.

Our Data Protection Officer is Jo Murgatroyd (see ‘Contact us’ below).

**The personal data we hold, why we use this data and the lawful basis for processing**

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:

| <b>Data we collect</b>  | <b>Why we use this data</b>   | <b>Lawful basis for using this data</b>  |
|---|---|--|
| Personal information such as name, address, contact number, date of birth, employee or teacher number   | To identify you and contact you off-site  | To fulfil a contract with you  |
| Special categories of data including characteristics information such as gender, age, ethnic group  | To enable equalities monitoring   | Comply with a legal obligation   |
| Payroll information such as bank details, tax code, national insurance number, payroll number, pension information  | To ensure you are paid and taxed correctly  | To fulfil a contract with you  |
| Contract information such as start dates, hours worked, post, roles, salary information and training records  | To maintain your contract and aid financial and HR planning                       | To fulfil a contract with you and carry out a public task  |
| Recruitment information including copies of right to work documentation, references and other information included in a CV or cover letter as part of the application process | To enable safer recruitment   | Comply with a legal obligation and for the purpose of taking steps to enter into a contract with you |
| Qualifications (and, where relevant, subjects taught)   | To validate application information and enable completion of the workforce census | Comply with a legal obligation and taking steps to enter into a contract with you                    |



|   |   |  |
|---|---|--|
| Relevant medical information (such as disabilities, allergies or illnesses, emergency contact)                                    | To make reasonable adjustments, keep staff safe and contact next of kin   | For the purpose of employment and occupational health                                  |
| Safeguarding information such as DBS, photographs for ID badges   | To apply safer recruitment procedures, complete the Single Central Register and adhere to the Safeguarding Policy | Comply with a legal obligation and carry out a task in the substantial public interest |
| Work absence information such as number of absences and reasons   | To enable completion of the workforce census, to pay you correctly and apply JBA policies                         | Comply with a legal obligation, to fulfil a contract with you                          |
| Performance information such as capability and disciplinary outcomes  | To apply JBA policies and give correct references   | To fulfil a contract with you  |
| Information obtained through electronic means such as CCTV footage, internet and phone monitoring, swipe card, lone worker device | To enable the prevention and detection of crime and staff safeguarding  | Legitimate interest and fulfilling our contract with you                               |
| Copy of driving licence, MOT and car insurance details  | To safeguard pupils and adhere to JBA Financial Regulations   | Fulfilling our contract with you and legal obligation                                  |
| Voluntary digital images  | Promoting JBA activity internally and/or externally   | Consent  |

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we 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 the academy Data Protection Policy.

We create and maintain a file for each staff member or volunteer. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment/engagement with JBA. Once your employment/engagement with us has ended, we will retain this file for 6 years and delete the information in it in accordance with the Information and Records Management Society's toolkit for schools.



**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
- The Department for Education - to meet our legal duties to share certain information with it, such as census returns
- Your family or representatives –in an emergency when it is in the data subject’s vital interests
- Educators and examining bodies – so the academy can carry out legitimate business activities including exam board registration
- Our regulator, OFSTED, - to meet our legal duties and ensure that we are complying with regulation requirements
- Central and local government – to meet our legal obligations set out in the Education Act 2005
- Our auditors – to ensure we are fulfilling our legal obligations associated with financial regulations
- Trade unions and associations – to comply with staff requests to share information
- Health and social welfare organisations – to comply with legal reporting processes such as reporting to the Health & Safety Executive
- Professional advisers and consultants - to ensure that the school effectively quality assures provision and to support school improvements for the benefit of the pupils, as set out in the Academy funding agreement
- Police forces, courts, tribunals – to meet our legal duties to share certain information in circumstances such as the detection and investigation of a crime
- Professional bodies – to meet our legal duties share information such as professional conduct concerns
- Suppliers and service providers – to enable them to provide the service we have contracted them for. These providers then become a data processor.

| <b>Data Processor</b>          | <b>Why the processing is needed</b>  |
|--------------------------------|--|
| Birmingham City Council        | Payroll and HR services  |
| HCSS                           | Payroll and expenses processing  |
| CIPHR                          | Cloud based HR services and payroll  |
| Arbor                          | Cloud based HR database  |
| ADT Reseller                   | CCTV   |
| BitNet Solutions               | IT support   |
| e4education                    | Website host   |
| Impero Education Pro           | Internet monitoring  |
| Senso                          | Internet monitoring  |
| Microsoft Office 365           | Cloud based IT platform that enables on-line teaching, meetings and document storage |
| Meraki                         | Unified management of mobile devices   |
| InTune                         | Mobile Device Management   |
| Paxton                         | Site access control  |
| Entrysign                      | Site access monitoring   |
| Fast SMS                       | Text messages  |
| School cloud parents evening   | On-line appointments system  |
| Schools Broadband              | Internet Service Provider  |
| Skyguard (lone worker devices) | Employee protection  |



|                |                                     |
|----------------|-------------------------------------|
| Enjoy Benefits | Optional employee benefits provider |
|----------------|-------------------------------------|

### 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.

### Your rights

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

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

If you make a data 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 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.

### 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 Data Protection Officer.



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 our Data Protection Officer:

Jo Murgatroyd ([dpo@jamesbrindley.org.uk](mailto:dpo@jamesbrindley.org.uk)), Data Protection Officer, Corporate Services, Bell Barn Road, Edgbaston, Birmingham B15 2AF