



**Victorious**  
Academies Trust

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## Privacy Notice (How we use workforce information)

1. **Victorious Academies Trust**, hold, use and share information about our workforce. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means from collecting, storing, using, sharing and disposing of it. We collect, hold and share personal information on the School workforce. The workforce includes all those employed to teach, or otherwise engaged to work, either on a paid, contracted or voluntary basis, across the Trust and at individual schools.
2. The categories of workforce information that we process include:
  - personal information (such as name, address, employee or teacher number, national insurance number)
  - characteristics information (such as gender, age, ethnic group)
  - contract information (such as start date, hours worked, post, roles and salary information)
  - work absence information (such as number of absences and reasons) and relevant medical information
  - qualifications (and, where relevant, subjects taught)
  - photographic records
  - information about medical or health conditions, including whether you have a disability for which reasonable adjustments need to be made
  - details of trade union membership if you pay your subscriptions through payroll
  - equalities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief

### Why we collect and use workforce information

3. We use workforce data to:
  - a) enable the development of a comprehensive picture of the workforce and how it is deployed
  - b) inform the development of recruitment and retention policies
  - c) enable individuals to be paid
  - d) facilitate safer recruitment (e.g. by carrying out criminal records checks and requesting references)
  - e) support effective performance management
  - f) allow better financial modelling and planning
  - g) support the management of absence
  - h) photographic images for identification purposes (safeguarding), and celebration purposes (to record work, classes and school events)
  - i) to meet our statutory duties
  - j) for site security
  - k) protect public monies against fraud
  - l) to detect and prevent crime and combat fraud
  - m) to streamline systems
4. Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:
  - Article 6(a) - Consent (for any processing which does not fall into the bases detail within this section below)
  - Article 6(b) Contract (your contract of employment)
  - Article 6(c) - Compliance and Legal Obligation

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In particular, but not exclusively, section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments

- Article 6(e) - Public Interest.
- Article 6(f) – Legitimate Interest

5. In addition, we rely on GDPR Article 9 and the Data Protection Act 2018 Schedule 1 Part 1 and Part 2 concerning any special category data (personal data that needs more protection because it is sensitive). Please refer to our Special Category Data Policy document for full details of these lawful bases for processing this data.

## **How we collect workforce information**

6. We collect this information in a variety of ways. For example, data is collected through application forms, obtained from your passport or other identity documents such as your driving licence, from forms completed by you at the start of or during employment (such as pension benefit nomination forms), from correspondence with you, or through interviews, meetings or other assessments, self-certification forms (medical), Fit Notes, images provided by individuals or taken using school photographic equipment, local authorities, previous employers, NHS, the Police, the Disclosure and Barring Service and the Department for Education (DfE).
7. Workforce data is essential for the Trust / our School's / DfE / Local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with data protection legislation, we will inform you at the point of collection, whether you are required to provide certain information to us and your rights in relation to this

## **How and where we store workforce information**

8. We securely store workforce information on the Trust and individual school's IT networks. Secure storage is provided for paper based records. We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see the Policy.

## **Who we share workforce information with**

9. We routinely share this information with:
- our Local Authorities (where appropriate)
  - our HR partners (particularly in relation functions related to HR, payroll and Criminal Records checks)
  - our Trustees
  - our local governing boards
  - the Department for Education (DfE)
  - HMRC
  - the Disclosure and Barring Service
  - Employers where references are requested
  - Police
  - External systems used by the Trust and individual schools to carry out day to day processes and requirements.

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10. In connection with the purposes identified above, your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA that is not subject to an adequacy decision by the EU Commission, information is adequately protected by EU Commission approved standard contractual clauses or a vendor's Processor Binding Corporate Rules. For more information on the transfer mechanism used, please contact us at the details set out below.

## **Why we share school workforce information**

11. We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

## **Local authority**

12. We are required to share information about our workforce members with our Local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
13. This may include, inter alia matters relating to the following: -
  - payroll,
  - contracts,
  - Occupational Health

## **Department for Education**

14. We share personal data with the Department for Education (DfE) on a statutory basis. We are required to share information about our employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current government security policy framework. 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>.

## **Requesting access to your personal data**

15. Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact your school office, the Headteacher / Principal or the Trust Data Protection Officer.
16. You also have the right to:
  - be informed about the collection and use of your personal data.
  - rectification, ie to have inaccurate personal data rectified, or completed if it is incomplete.
  - erasure, often known as the 'right to be forgotten' (however this does not apply where, amongst other things, processing is necessary to comply with a legal obligation).
  - restrict processing, although, as above this is a limited right.
  - object; though other than for marketing purposes, this is also limited as above.
  - where we rely on your consent to process your data, you have the right to revoke that consent.
  - you also have rights in relation to automated decision making and profiling, though these are not currently relevant.
  - Finally, the right to seek redress, either through the ICO, or through the courts.

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## How Government uses your data

17. The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy.

## Data collection requirements

18. 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 state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

19. 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>.

## Sharing by the Department

20. 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

21. 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 arrangements in place to securely store and handle the data

22. 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.

23. If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- your local authority website; or
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## Last updated

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24. We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. **This version was last updated in July 2021.**

## Contacts

25. If you have a concern about the way we are collecting or using your personal data or you would like to discuss anything in this privacy notice, we ask that you raise your concern with us in the first instance. Please contact your school office, Headteacher / Principal or Trust Data Protection Officer:

**Data Protection Officer** GDPR for Schools, Derbyshire County Council  
**DPO Email:** [gdpforschools@derbyshire.gov.uk](mailto:gdpforschools@derbyshire.gov.uk)  
**DPO Phone:** 01629 532888  
**DPO Address:** Room 396, North Block, County Hall, Smedley Street, Matlock, Derbyshire, DE4 3A

26. For DfE - Public Communications Unit, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. Website: [www.education.gov.uk](http://www.education.gov.uk). <https://www.gov.uk/contact-dfe>. Email: <http://www.education.gov.uk>. Telephone: 0370 000 2288

27. If however you are dissatisfied with our response to your concerns you can of course contact the ICO quoting our ICO registration number **ZA116828** and stating that the Data Controller is **Victorious Academies Trust**.

Information Commissioners' Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number  
Fax: 01625 524 510  
Website: <https://ico.org.uk/concerns/>