



**KING EDWARD VI  
ACADEMY TRUST  
BIRMINGHAM**

## **Privacy Notice for Staff**

<i><b>Responsible Board</b></i>	Academy Trust Board
<i><b>Policy Officer</b></i>	Executive Director
<i><b>Date Adopted</b></i>	June 2020
<i><b>Review Date</b></i>	June 2021

## Who we are

King Edward VI Academy Trust Birmingham (the 'Academy Trust') is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

For the purposes of Data Protection legislation, the Academy Trust is the Data Controller for the entities below.

- King Edward VI Aston School;
- King Edward VI Camp Hill School for Boys;
- King Edward VI Camp Hill School for Girls;
- King Edward VI Five Ways School;
- King Edward VI Handsworth School for Girls;
- King Edward VI Handsworth Grammar School for Boys;
- King Edward VI Sheldon Heath Academy; and
- King Edward's Consortium.

The registered address of the Academy Trust is:

King Edward VI Academy Trust, Foundation Office, Edgbaston Park Road, Birmingham B15 2UD.

The Academy Trust is sponsored by The Schools of King Edward VI in Birmingham (the 'Foundation') a Charity registered at Foundation Office, Edgbaston Park Road, Birmingham B15 2UD. The Foundation and Academy Trust share resources and act in accordance with their Data Sharing Agreement.

If you want to contact us about your personal information you can in the first instance, contact the Data Protection Lead for your school. The name of your school's Data Protection Lead can be found here: <https://www.schoolsofkingedwardvi.co.uk/legal-information/>.

The Data Protection Officer for the Academy Trust is Laura Ganderton. You can contact her via:

- email: [dataprotection@ske.uk.net](mailto:dataprotection@ske.uk.net) ;
- telephone: 0121 472 1147; or
- post: Foundation Office, Edgbaston Park Road, Birmingham B15 2UD.

In this notice 'we' and 'us' means the Academy Trust, 'staff' means teaching staff, support staff, office staff, sessional workers, trustees/governors and volunteers.

## Aim

The Academy Trust is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during your employment with us.

The Academy Trust aims to ensure that all data collected about staff pupils, parents and visitors is collected, stored and processed in accordance with the General Data Protection

Regulation. This applies to all data, regardless of whether it is in paper or electronic format.

We may amend this privacy notice at any time.

## Definitions

Term	Definition
Personal data	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
Special category data	These are data about ethnic origin, political opinions, religious or similar beliefs, trade union membership, health, sex life, criminal proceedings or convictions, genetic or biometric data
Processing	Obtaining, recording or holding data
Data subject	The person whose personal data is held or processed
Data controller	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed
Data processor	A person, other than an employee of the data controller, who processes the data on behalf of the data controller

## Data protection principles

We will comply with data protection law. This says that the personal data we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up-to-date;
- kept only as long as necessary for the purposes we have told you about; and
- kept securely.

## How we use staff information

We process personal data relating to those we employ to work at, or otherwise engage in working at the Academy Trust. This is for employment purposes to assist in the running of the Academy Trust and/or to enable individuals to be paid.

This personal data includes but is not limited to:

- personal information (such as name, address, employee or teacher number, national insurance number, DBS number);
- special categories of data including characteristics information (such as gender, age, ethnic group and medical information);

- contract information (such as start dates, hours worked, post, roles and salary information);
- work absence information (such as the number of absences and reasons);
- qualifications (and, where relevant, subjects taught);

During the recruitment process, we may receive information about you from a previous employer or an educational establishment which you have previously attended. You will know about this because you will have supplied us with the relevant contact details.

We use CCTV at some of our schools to make sure the school sites are safe. CCTV is not used in private areas such as changing rooms. For more information, please refer to our CCTV policy.

**The purpose of processing this data is to help us to run the Academy Trust, including but not limited to:**

- enable us to pay you;
- facilitate safer recruitment, as part of our safeguarding obligations towards pupils;
- support effective performance management;
- inform our recruitment and retention policies;
- allow better financial modelling and planning;
- enable ethnicity and disability monitoring;
- improve the management of workforce data across the sector;
- support the work of the School Teachers' Review Body;
- ensure that pupils are safe when being driven by you, or when you instruct an adventure activity or other activity requiring a qualification; and
- ensure that we have a sufficient number of staff to dispense first aid in accordance with our statutory responsibilities under the Health and Safety Act.

**Collecting and using your information in this way is lawful because:**

- the processing is necessary for the performance of your employment contract;
- the processing is necessary for the performance of a legal obligation to which the Academy Trust is subject, for example, our legal duty to safeguard pupils;
- the processing is necessary to protect the vital interests of others, i.e. to protect pupils from harm; and
- the processing is necessary for the performance of our education function which is a function in the public interest.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the school/academy trust to collect it. If there is no legal requirement, then we will explain why we need it and what the consequences are if it is not provided.

**If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to provide you with employment through the Academy Trust, or we may be prevented from complying with our legal obligations as an employer.

## **When we share your information with others**

We will not share information about you with third parties without your consent unless the law allows us to.

We are required, by law, to pass on some of the personal data which we collect to:

- the local authority;
- the Department for Education ('DfE');
- government departments;
- emergency services.

The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector;
- enabling development of a comprehensive picture of the workforce and how it is deployed;
- informing the development of recruitment and retention policies;
- allowing better financial modelling and planning;
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body.

If you require more information about how we and/or the DfE store and use your personal data, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

We disclose personal data about you to the Disclosure and Barring Service for the purposes of carrying out checks on your suitability for work with children.

We disclose details about you including national insurance number and absence information to our payroll provider to enable you to be paid.

We disclose details from your HR file with our HR provider and their HR system for the purposes of HR management.

We share your identity and pay information with HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions.

Where you have decided to become part of a salary sacrifice scheme such as that for childcare vouchers, we share your details with the provider to the extent necessary for them to provide the vouchers to you.

We share your details with your pension provider in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement. For teachers the scheme is the TPS, for support staff, the scheme is LGPS.

Our disclosures to third parties are lawful because one of the following reasons applies:

- The disclosure is necessary for the performance of your employment contract;

- The disclosure is necessary for the performance of a legal obligation to which the Academy Trust is subject, for example, our legal duty to safeguard pupils;
- The disclosure is necessary to protect the vital interests of others, i.e. to protect pupils from harm;
- The disclosure is necessary for the performance of our education function which is a function in the public interest.

We do not normally transfer your information to a different country which is outside the European Economic Area.

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you, and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Security**

We have appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **How long we keep your information**

We only keep your information for as long as we need to or for as long as the law requires us to.

The Foundation maintains a permanent archive of staff and Governors who have ever worked at a school of the Foundation. This archive comprises of but is not limited to the staff member's name, address when they started employment, date of birth, length of service, position. The archive can be accessed by the archivist for research and other purposes but is not used for marketing.

We have a policy which explains how long we keep information. It is called a Data Retention Policy, and you can find it on the Academy Trust website or ask for a copy at your school reception.

### **Your rights**

You have the following rights in relation to the information we hold about you:

- You can ask us for a copy of the information we have about you;
- You can ask us to correct any information we have about you if you think it is wrong;
- You can ask us to erase information about you (although we may have good reasons why we cannot do this);
- You can ask us to limit what we are doing with your information;
- You can object to what we are doing with your information;
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in our Data Protection Policy, or you can ask the Data Protection Lead at your school.

The policy can be found on the Academy Trust website, or you can contact your school reception.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint, then you can complain to the Information Commissioner's Office:

Information Commissioner's 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.

## COVID-19 Addendum

This addendum details the following temporary variation to this Privacy Notice in relation to the virtual learning environment.

### Reason for the variation

In response to the COVID-19 pandemic, our schools may conduct virtual live lessons to enhance the education of our pupils.

### Legal reasons for recording virtual live lessons

- The virtual live lessons may be recorded for safeguarding purposes to protect pupils and staff.
- Not all students will have access to appropriate broadband speeds or to a device to stream the virtual lesson live. Therefore, a link to the recording may also be circulated to the relevant cohort to ensure inclusion for those pupils unable to attend the live lesson.

### Communication

Relevant schools will issue guidance to staff, parents and pupils where this is in place. The teacher will inform pupils at the start of the virtual live lesson that it is being recorded and the reason. Pupils will then be able to turn off their video and microphone.

### Security

Systems will comply with our standard security protocols which will be detailed in the schools' guidance to parents and pupils.

### Retention

Any recordings will be securely retained for up to 6 months in line with the Data Retention Policy.

### Relevant legal provisions

The legal bases for recording virtual live lessons are as follows:

- Public Task – Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest.
- If and to the extent we process special category data the applicable legal grounds are Article 9(2)(g) processing is necessary for reasons of substantial public interest, on the basis of UK law. Schedule 1(2)(18) of the Data Protection Act 2018 - Safeguarding of children and of individuals at risk.

Due to the fluid environment created by COVID-19 we will keep these arrangements under review.