

Privacy Notice for the trust workforce

1. Introduction

Under UK data protection law, individuals have a right to be informed about how our trust 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 at our schools or in the central team**. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy as soon as reasonably practical.

Birmingham Diocesan Multi-Academy Trust is the 'data controller' for the purposes of UK data protection law.

We will comply with the data protection law and principles, which means that your data will be:

- o Used lawfully, fairly and in a transparent way
- o Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- o Relevant to the purposes we have told you about and limited only to those purposes
- o Accurate and kept up to date
- o Kept only as long as necessary for the purposes we have told you about
- o Kept securely

We are an education organisation and our contact details are:

Address:	BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN
Email:	enquiries@bdmat.org.uk
Telephone	0121 828 3523

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your name
- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Employee or teacher number,
- Bank account details, payroll records, national insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a cover letter as part of the application process
- Qualification and employment records, including work history, job titles, working hours, training records, professional memberships, and contracts.
- Performance information.
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Information about your use of our information and communications systems, equipment and facilities (e.g. school computers)

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of (for example - details of medical needs such as asthma, allergies, diabetes and other medical conditions.
- Sickness records
- Photographs and CCTV images captured in school
- Information about trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid.
- b) Check your entitlement to work in the UK
- c) Determine the terms on which you work for us
- d) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- e) Support effective performance management.
- f) Inform the development of recruitment and retention policies.
- g) Allow better financial modelling and planning
- h) Enable equalities monitoring
- i) Improve the management of workforce data across the sector
- j) Support the work of the School Teachers' Review Body
- k) ensure duty of care is in place for medical conditions.
- l) Make sure our information and communications systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- m) Ascertain your fitness to work
- n) Manage sickness absence

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

We will only use your personal information for the purposes for which we have 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 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.

Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

Use of your personal data for filtering and monitoring purposes

While you're in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations.
- Comply with our policies (e.g. child protection policy, IT acceptable use policy, Staff Code of Conduct) and our legal obligations.
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your welfare

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in the **Why we use this data** section above are as follows:

For the purposes of a) and c) from the section **"Why we use this data"** in accordance with the "contract" basis – we need to process personal data to fulfil a contract with you or to help you enter a contract with us

For the purposes of b) from the section **"Why we use this data"** in accordance with the "public task" basis – we need to process personal data to fulfil our statutory function as a school as set out here:

- Keeping Children Safe in Education
- Working Together to Safeguard Children

For the purposes of d) e) g) and h) in accordance with the "public task" basis – we need to process data to fulfil our statutory function as a school as set out here:

- Part 8 of the Education Act 2002 gives power to the School Teachers' Review Body to provide a report to government informing the development of recruitment and retention of teachers, providing for better financial modelling and planning and improving the management of workforce data across the sector

For the purposes of e) from the section **Why we use this data** in accordance with the "Legal Obligation" basis - we need to process personal data to meet our responsibilities under law as set out here:

- All academy trusts, under the Academies Financial Handbook have a legal duty to keep accurate financial records and produce audited accounts which include salary information.

For the purposes of c) from the section **Why we use this data** in accordance with the “Consent” basis- we will obtain consent from you to use your personal data

For the purposes of g) in accordance with the “public task” basis – we need to process data to fulfil our statutory function as a school as set out here:

- 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 and section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments states that schools must share data with DfE.

For the purposes of i) from the section **Why we use this data** in accordance with the “Legal Obligation” basis - we need to process personal data to meet our responsibilities under law as set out here:

- The Health and Safety at Work Act 1974 and The Management of Health and Safety at Work Regulations 1999 state all schools have a duty to protect the health and safety of all visitors

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

Our basis for using special category data

For ‘special category’ data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use your data when the law allows us to. Whilst the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals
- Other schools or trusts
- Former employers

6. How we store this data

We keep personal information about you while you work at the school. We also keep it beyond your employment in line with legislation.

Our data retention guidelines, which can be found on the BDMAT website <https://bdmatschools.com/documents/bdmat-retention-policy/> sets out how long we keep information about staff. A copy is available on request.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with.

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or if necessary (and it complies with UK data protection law) we may share personal information about you with:

- our local authority (Birmingham, Solihull or Warwickshire dependent upon locality of the school)
- Government departments or agencies such as Department for Education (DfE) or HMRC
- Our regulator - Ofsted
- BDMAT's outsourced finance support suppliers – Hoge and Access
- BDMAT's outsourced HR and payroll systems – SAM People, Heales and Edupay
- Management Information System - Arbor
- Auditors – Bishop Fleming and Academy Advisory
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

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>.

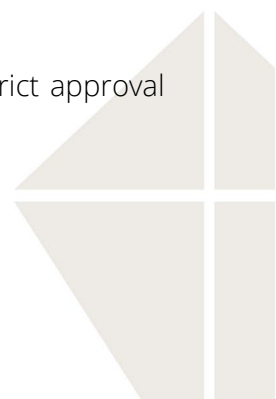
The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis;
- producing statistics; and
- 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 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>

To contact the department: <https://www.gov.uk/contact-dfe>

Transferring data internationally

We may share personal information about you with the following international third parties, where different data protection legislation applies:

- 3P (Mathletics) has its main data location as the East US 2 region within Microsoft Azure. In accordance with EU GDPR requirements, Microsoft Azure complies with both the EU-US privacy shield and EU Model Clauses.
- The Schoolcomms Products and Services only processes personal information in the UK. Some supporting services (EG Microsoft CRM), might use cloud platforms that operate from Third Countries outside of the EEA. Where this is the case, Schoolcomms ensure that adequate safeguards are established to protect your data.
- Class Dojo complies with the requirements set forth in the EU-U.S. and Swiss-U.S. Privacy Shield.
- Other schools if you move abroad and apply for a school post

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights:

How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- 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 us via email to dpo@bdmat.org.uk

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.

If you are making a verbal request, try to:

- *use straightforward, polite language;*
- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform them if anything is incorrect or missing before finishing the conversation.*

However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).

So to avoid confusion we ask you when making a subject access request, or requesting to be given access to your personnel record, you do so by contacting our Data Protection Officer, Michele Fullwood, in writing either to Birmingham Diocesan Multi-Academy Trust, at BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or by email to dpo@bdmat.org.uk

Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge 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
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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.

You can make a complaint to us at any time by contacting our Data Protection Officer: Michele Fullwood, in writing at Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or by email at dpo@bdmat.org.uk

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. 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: Michele Fullwood, in writing at Birmingham Diocesan Multi-Academy Trust, BDMAT Central Office, Christ Church, Church of England Secondary Academy, Daleview Road, Yardley Wood, Birmingham, B14 4HN or by email at dpo@bdmat.org.uk

Last updated:

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 update on **01 January 2025**