



Privacy Notice

How We Use School Workforce Information

Under data protection law, individuals have a right to be informed about how the Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy 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 for our Trust.

We, PROSPER Learning Trust, are the 'data controller' for the purposes of data protection law.

The categories of school workforce information that we collect, process, hold and share

We process data relating to those we employ, or otherwise engage, to work for our Trust. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal information (such as name, addresses, date of birth, employee or teacher number, national insurance number, and next of kin/emergency contact details)
- Salary, annual leave, payroll records - payroll number, bank account details, tax status information, pension and benefits information
- Contract information (such as start dates, hours worked, positions held)
- Recruitment information, including copies of right to work documentation, references and other information included in the application form/letter or as part of the application process
- Qualifications and employment records, including work history, job titles, training records and professional memberships (and, where relevant, subjects taught)
- Employment checks, including DBS numbers, Section 128 checks
- Work absence information (such as number of absences and reasons/medical certificates)
- Performance information
- Relevant medical information
- Outcomes of any disciplinary and/or grievance procedures
- Copy of driving licence, (if necessary)
- Photographs (including on an appropriate Trust website)
- CCTV footage (possibly including body cameras)
- Data about your use of the Trust's information and communications systems

This list is not exhaustive, an up to date Data Asset Register can be requested from Prosper Learning Trust Data Protection Officer.

Why we collect and use this information

We use school workforce data to help us run the Trust, including to:

- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Inform the development of recruitment and retention policies



- Enable individuals to be paid, with correct taxes and pensions arrangements
- Keep employees safe and enable wellbeing
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Allow better financial modelling and planning
- Supporting the work of the School Teachers' Review Body and other governmental staff review bodies
- Complete the school workforce census (must be completed by law)

The lawful basis on which we process this information

We only collect and use personal information about you when the law allows us to. Under the General Data Protection Regulation (GDPR), the legal bases we rely on for processing personal information for general purposes are to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest
- Fulfil the legitimate interests of the organisation

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- Processing is necessary for carrying out obligations under employment, social security or social protection law

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 Trust's use of your data.

Collecting this information

Workforce data is essential for the Trust's operational use. Whilst the majority of information you provide to us is mandatory, (e.g. through application/contract forms) some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment. Information will also be on school's management information system (SIMS/Bromcom).

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our Data Protection Policy, which will be available on Prosper Learning Trust website.



Who we share this information with

We routinely share this information with:

- The Local Authority
- The Department for Education (DfE)
- Pensions and tax organisations (Teachers' Pensions, Tyne and Wear Pensions Fund, HMRC)

We may, if necessary also share some information with:

- Educational IT systems
- OFSTED
- Our auditors
- Health authorities
- Insurance companies
- Educators and examining bodies
- Professional bodies
- Charities and voluntary organisations
- Police forces, courts, tribunals

Why we share school workforce information

We do not share information about workforce members with anyone without 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:

Local authority – 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. It is also shared for payroll purposes while the LA act as the Trust's payroll provider.

Department for Education (DfE) – we share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to Trust funding/expenditure and the assessment of educational attainment.

We are required to share information about our Trust employees with the (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.

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>

Transferring data internationally

We will avoid transferring personal data to a country or territory outside the European Economic Area, in order to comply with data protection law. Where this is unavoidable it will **only** be, when necessary, for important reasons of public interest and where adequate safeguards are in place.



Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold ('subject access request'). To make a written request for your personal information, contact Victoria Hall, Data Protection Officer for a Subject Access Request Form.

If you make a 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 in an intelligible form

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decision being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of the Data Protection regulations either through the ICO, or through the courts

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.

If you would like to discuss anything in this privacy notice or make a complaint please contact Victoria Hall, Data Protection Officer at admin@prosperlearningtrust.co.uk or 0191 9171246.

Alternatively, if we are unable to resolve your concerns, you can contact the Information Commissioner's Office:

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