



PLATANOS TRUST

The Platanos Trust

Privacy Notice

How we use workforce information

Privacy Notice

How we use workforce information

This Privacy Notice provides information on how we process information in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

1. Data processing

Data processing of personal data means any activity that involves handling the information, such as collecting, storing, sharing and destroying such personal information.

2. The categories of information that we process include:

- personal information (such as name, employee or teacher number, national insurance number, emergency contact, photo ID)
- 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)
- qualifications (and, where relevant, subjects taught)
- medical information (such as occupational health records)
- criminal offence information (such as DBS record checks)

The above list is not exhaustive but are the main examples of the type of information.

3. Why we collect and use workforce information

We collect and use employee data for the following purposes:

- a) to enable the development of a comprehensive picture of the workforce and how it is deployed
- b) to inform the development of recruitment and retention policies
- c) to enable individuals to be paid
- d) to enable the normal business operation of the organisation
- e) to assess the quality of our services
- f) to assist with training and development
- g) safeguarding children and adults
- h) occupational health and safety
- i) to meet statutory regulations

4. The lawful basis on which we process this information

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing personal information are:

- Legal obligation – we process certain information to comply with the law

- To protect vital interests – such as the individual’s life
- Contractual obligation – to fulfil the obligation of providing an educational service
- Specific consent is provided
- Legitimate interest – in order for the school to carry out its normal services
- Public task or interest – this is set out in law or in the exercise of ‘official authority’

In addition, concerning any special category data (such as information on race or religion), the lawful bases are:

- Specific consent being provided
- Legal obligation
- To protect vital interests
- Carried out in the course of legitimate activities with appropriate safeguards
- Relates to personal data which are manifestly made public by the subject (individual)
- Necessary for the establishment, exercise or defence of legal claims
- Necessary for substantial public interest
- Necessary for the purposes of preventative or occupational medicine
- Necessary for public interest in the area of public health
- Necessary for archiving in the public interest, scientific or historical research purposes or statistical purposes

5. Collecting workforce information

We collect personal information via a number of ways, such as application forms, previous employers, and other professional or government agencies.

Workforce data is essential for the Trust’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 GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

6. Storing workforce information

We hold data securely for the set amount of time as according to our data retention schedule. For more information on how we keep your data safe, please refer to our Data Protection Policy and data retention schedule.

7. Who we share workforce information with

We routinely share this information with:

- the local authority (where applicable)
- the Department for Education (DfE)

- other potential employers who may request the information as part of a reference request
- payroll and pensions
- occupational health services
- other professional bodies (such as the NCTL as necessary)
- other agencies when requested by law (such as the police)

8. Why we regularly share school workforce information

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

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.

Department for Education

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins:

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

We are required to share information about our 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 the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

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

To find out more about the data collection requirements placed on us by the DfE 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
- 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>

9. Requesting access to your personal data

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, please contact the headteacher's office directly or the Trust's office at office@platanotrust.com.

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 decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts

The right to object only applies in certain circumstances. The Trust and its schools have the right to process data in order to fulfil its legal obligations as described in Sections 3 and 4. In these instances, the right to object does not apply.

10. Contact

If you have a concern or complaint about the way we are collecting or using your personal data, or if you would like to discuss anything in this Privacy Notice, you should contact us directly at the Platanos Trust in the first instance on 020 7733 6156 or email at:

office@platanotrust.com.

We have an appointed Data Protection Officer (DPO) to oversee compliance with data protection and to address any queries or concerns. Further information can be found in our Data Protection Policy.

Alternatively, you can make a complaint to the Information Commissioner's Office, the UK supervisory authority for data protection issues, at <https://ico.org.uk/concerns>.

11. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.