



**PETERBOROUGH KEYS**  
ACADEMIES TRUST

## **PRIVACY NOTICE – TRUST WORKFORCE**

**Version 1.1**

**September 2024**

**Trustee Committee: Finance, Audit and Risk Committee**

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## 1. Introduction

- 1.1 This Privacy Notice for academy workforce explains how and why we store personal information about those employed by the school or otherwise engaged to work at the school. It provides a guide to our legal obligations and their own rights. Like any organisation which handles personal data, our school is the 'Data Controller' as such, we are registered with the ICO (Information Commissioner's Office) and we comply with UK General Data Protection Regulation (UK GDPR).
- 1.2 This notice is linked to the General Data Protection Regulation 2018 and in referring to 'School Workforce' is including those employed to teach, or otherwise engaged to work at, a school or Local Authority (LA).
- 1.3 Peterborough Keys Academies Trust (PKAT) is the licensed 'data controller' for the purposes of data protection law. Jack Hunt School, Longthorpe, Nova, Ravensthorpe and Thorpe Primaries all operate as a data processor under the PKAT licence for the purposes of this document, "PKAT" will include the above schools.

## 2. The Categories of Workforce Information That We process Include:

Personal Information	Name, date of birth, gender, address, email address, telephone number National Insurance number Employee or teacher number Medical conditions
Characteristics	Ethnicity, language, nationality, country of birth
Attendance Information	Sessions attended, number of absences, reasons for absence
Employment / Recruitment / Contract Information	References Self-Disclosure forms DBS checks Verification of the right to work in the UK Start dates Hours worked Post / roles Salary information P45 forms Pensions information
Other	Appraisal / Performance Management notes and reports Qualifications DBS evidence Disciplinary information Grievances

- 2.1 Personal data is held by the Trust about those employed or otherwise engaged to work at the school.

2.2 Personal data is held to assist in the smooth running of the Trust, such as to enable individuals to be paid, as an example, as well as being processed for the purposes of the legitimate interests pursued by the School:

- (a) Fulfil contractual requirements
- (b) Enable staff to be paid
- (c) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- (d) Support effective performance management
- (e) Inform our recruitment and retention policies
- (f) Allow better financial modelling and planning
- (g) Enable equalities monitoring
- (h) Improve the management and development of workforce data across the sector
- (i) Support the work of the School Teachers' Review Body and the School Support Staff Negotiating Body.
- (j) Employment checks, e.g. Right to Work in UK, Disclosure and Barring Checks, etc
- (k) Enabling a comprehensive picture of the workforce and how it is deployed to be built up;

2.3 This personal data includes some or all of the following:

- (a) Contact details
- (b) Date of birth, marital status and gender
- (c) Next of kin and emergency contact numbers
- (d) Contractual information, including, Salary, annual leave, pension and benefits information
- (e) Bank account details, payroll records, National Insurance number and tax status information
- (f) Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- (g) Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- (h) Performance information
- (i) Outcomes of any disciplinary and/or grievance procedures
- (j) Attendance, Punctuality and Absence data
- (k) Copies of Identification Documents

- (l) Photographic records
- (m) Data about your use of the school's information, technology and communications system
- (n) identifiers such as name and National Insurance Number and DOB;
- (o) Copies of Identification Documents
- (p) characteristics such as ethnic group;
- (q) employment contract, pension and remuneration details;
- (r) Bank account details, payroll records, and tax status information
- (s) recruitment information and employment records
- (t) professional qualifications;
- (u) absence information; and
- (v) medical information

2.4 We may also collect, store and use information that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- (a) Race, ethnicity, religious beliefs, sexual orientation and political opinions
- (b) Trade union membership
- (c) Health, including any medical conditions, biometrics (for identity purposes), genetics and sickness records

2.5 Where information is held about a data subject the purposes of holding such data will be justified and made explicit.

This list is not exhaustive, to access the current list of categories of information we process, please contact [gdpr@pkat.co.uk](mailto:gdpr@pkat.co.uk)

### **3. Why We Collect and Use Workforce Information**

3.1 We use workforce data to:

- (a) Enable the deployment 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) Provide support to staff when required (e.g. medical emergencies)
- (e) Maintain high standards of performance from the workforce

3.2 Under the UK General Data Protection Regulation (UK GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- (a) (6a) Consent: employees and others who work in the school have given clear consent for us to process their personal data for the purposes indicated above.
- (b) (6c) A Legal obligation: the processing is necessary for us to comply with the law.
- (c) (6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. we are required to have evidence that staff have DBS clearance).
- (d) (6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

3.3 The lawful bases for processing personal data are set out in Article 6 of the UK General Data Protection Regulation.

3.4 Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. Peterborough Keys Academies Trust (the Trust) will work within the conditions of GDPR - Article 9 of the UK GDPR:

- (a) (9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include staff dietary requirements, and health information we receive from our staff who require a reasonable adjustment to access our site and services.
- (b) (9.2b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.
- (c) (9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a member of staff in a medical emergency.
- (d) (9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.
- (e) (9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.

- (f) (9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

3.5 We process criminal offence data under Article 10 of the UK GDPR.

3.6 Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

3.7 We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- (a) Fulfil a contract we have entered into with you
- (b) Comply with a legal obligation
- (c) Carry out a task in the public interest

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

- (a) You have given us consent to use it in a certain way
- (b) We need to protect your vital interests (or someone else's interests)
- (c) We have legitimate interests in processing the data

3.9 Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

#### **4. Collecting Workforce Information**

4.1 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 UK 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 and we will tell you what you need to do if you do not want to share this information with us.

#### **5. Storing Workforce Information**

5.1 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 email [gdpr@pkat.co.uk](mailto:gdpr@pkat.co.uk)

- 5.2 Please refer to the PKAT Data Protection and Records Management policies for more information regarding the retention of information and where your data will be held.

## **6. Who We Share Workforce Information With**

- 6.1 We are required to share aspects of workforce information with:

- (a) The Secretary of State
- (b) The Department for Education (DfE)
- (c) The Local Authority (LA)

- 6.2 We do not share personal information with any third party without your 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 with:

- (a) Suppliers of Services, systems or software which the school utilises for operating the school or student development.
- (b) Your family or representatives
- (c) Educators and examining bodies
- (d) Our regulator, e.g. Ofsted
- (e) Suppliers and service providers - to enable them to provide the service we have contracted them for, e.g. Payroll, Pensions
- (f) Central and local government
- (g) Trade unions and associations
- (h) Health authorities
- (i) Safeguarding and security organisations
- (j) Health and social welfare organisations
- (k) Professional advisers and consultants
- (l) Charities and voluntary organisations
- (m) Police forces, courts, tribunals
- (n) Professional bodies
- (o) Employment and recruitment agencies

## **7. Why We Share Academy Workforce Information**

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



## **Secretary of State**

We are required to share information about our workforce members with the Secretary of State under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## **Department for Education (DfE)**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections.

We are required to share information about our school employees with the Department for Education (DfE) under section 7 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## **Suppliers and Service Providers**

We are required to share certain information about our school workforce with suppliers and service providers (e.g. pensions information) to enable staff to undertake the legal responsibilities of their role.

## **8. Requesting Access to Your Personal Data**

- 8.1 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 [gdpr@pkat.co.uk](mailto:gdpr@pkat.co.uk)
- 8.2 Depending on the lawful basis used for processing data (as identified above), you may also have the right to:
- (a) have your personal data rectified if it is inaccurate or incomplete;
  - (b) request the deletion or removal of personal data where there is no compelling reason for its continued processing;
  - (c) restrict our processing of your personal data (i.e. permitting its storage but no further processing);
  - (d) object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics; or

- (e) not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

8.3 If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

8.4 For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## **9. Withdrawal of Consent and the Right to Lodge a Complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting [gdpr@pkat.co.uk](mailto:gdpr@pkat.co.uk)

## **10. Contact**

10.1 If you would like to discuss anything in this privacy notice, please contact: [gdpr@pkat.co.uk](mailto:gdpr@pkat.co.uk)

## **11. How Government Uses Your Data**

11.1 The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- (a) informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- (b) links to school/academy funding and expenditure
- (c) supports 'longer term' research and monitoring of educational policy

## **12. Data Collection Requirements**

12.1 To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **13. Sharing by the Department for Education (DfE)**

- 13.1 The Department for Education (DfE) may share information about academy employees with third parties who promote the education or well-being of children or the effective deployment of school/academy staff in England by:
- (a) conducting research or analysis
  - (b) producing statistics
  - (c) providing information, advice or guidance.
- 13.2 The Department for Education (DfE) 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:
- (a) who is requesting the data
  - (b) the purpose for which it is required
  - (c) the level and sensitivity of data requested; and
  - (d) the arrangements in place to securely store and handle the data
- 13.3 To be granted access to academy 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.

### **14. How to Find Out What Personal Information DfE Hold About You**

- 14.1 Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):
- (a) if they are processing your personal data
  - (b) for a description of the data they hold about you
  - (c) the reasons they're holding it and any recipient it may be disclosed to
  - (d) for a copy of your personal data and any details of its source
- 14.2 If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:
- 14.3 <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>
- 14.4 To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

## 15. Version History

### 15.1 Table of Versions

VERSION	ACTION	RESPONSIBLE	DATE
1.0	Privacy notice updated with new DPO introduction	Howard NELSON	29/06/2023
1.1	Updated following review by DPO	SchoolPro	20/06/2024