



PRIVACY NOTICE

STAFF

Who does this notice apply to?

Tutors and support staff, contractors, peripatetic Tutors/Teachers, casual workers and any other person who may be employed or engaged by the school to work for it in any capacity, as well as prospective applicants for roles. It also applies to governors.

About this Privacy Notice

West Midlands Education & Skills holds and processes Personal Data and Special Category Personal Data (sometimes called sensitive data) about its current, past or prospective staff. This information is normally provided to the school by a prospective member of staff on an application form and is added to by the school over the course of employment. Information about staff and prospective staff is retained and disposed of in accordance with the school's Data Protection Policy.

This Privacy Notice also applies in addition to the school's other relevant documents, including:

- any contract between the school and its staff, such as the terms and conditions of employment, and any applicable staff handbook;
- the school's Data Protection Policy;
- the school's Safeguarding, Pastoral, Anti Bullying and Health & Safety related policies, including as to how concerns or incidents are reported or recorded (both by and about staff); and
- the school's IT related policies.

Please note that your contract with the school, including any document or policy forming a part of your contractual obligations to the school may supplement the information in this Staff Privacy Notice, to the extent that it will contain details of obligations or rights of the school under contract with you which may require the use of your Personal Data.

What data do we collect?

We may collect the following types of Personal Data about staff (and their family members and 'next of kin', where relevant):

contact and communications information, including:- your contact details(including email address(es), telephone numbers and postal address(es));- contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in

biographical, educational and social information, including:- your name, title, gender, nationality and date of birth;- your image and likeness, including as captured in photographs taken for work purposes; - details of your education and references from your institutions of study;- lifestyle information and social circumstances;- your interests and extra-curricular activities;

financial information, including:- your bank account number(s), name(s) and sort code(s) (used for paying your salary and processing other payments); - your tax status (including residence status)- information related to pensions, national insurance, or employee benefit schemes;

work related information, including:- details of your work history and references from your previous employer(s);- your Personal Data captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the school;- details of your professional activities and interests;- your involvement with and membership of sector bodies and professional associations;- information about your employment and professional life after leaving the school, where relevant (for example, where you have asked us to keep in touch with you); and any other information relevant to your employment or other engagement to work for the school.

We may also collect **Special Category Personal Data** where this is necessary for your employment or other engagement to work for us and information about criminal convictions and offences, including: - information revealing your racial or ethnic origin (usually anonymously); - trade union membership, where applicable and not as a matter of course; - information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment); - information concerning your sexual orientation (for example, in the course of investigating complaints made by you or others, for example concerning discrimination); and information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations). However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your employment or other engagement to work for the school.

Why do we process Personal Data?

The school needs to process Personal Data about its staff for a number of administrative purposes: - Managing HR processes such as recruitment, DBS and other

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relevant employment checks, payment of salaries and pensions, performance management, and training and development - Providing facilities such as the IT service and car parking provision- Monitoring equal opportunities - Preventing and detecting crime, such as using CCTV and using photographs - Providing communications about school news and events- Provision of wellbeing and support services- Compliance with legal obligations such as making external/statutory returns The school processes Special Category Personal Data for a number of administrative purposes: - Equal opportunities monitoring- Managing Human Resources processes such as administering Sick Pay and Sick Leave schemes, managing absence, administering Maternity Leave and related pay schemes - Managing a safe environment and ensuring fitness for work- Managing obligations under Equal Opportunities legislation- Provision of occupational health and wellbeing services to individuals

The legal basis the school uses for holding this information is normally as a result of 'legitimate interest', in other words, West Midlands Education & Skills needs this information in order to effectively manage the school. Some Personal Data will be held on a contractual basis or as a result of a statutory or legal obligation or to protect your vital interests (medical information, for instance). In these cases, the school is required to hold and process your information in order to perform its duties under its contract with you or in order to fulfil an obligation to a statutory body.

The school will process your information in accordance with Data Protection Law (the General Data Protection Regulation and the UK Data Protection Bill and any other applicable law) and its own Data Protection Policy. To comply with Data Protection Law, information about individuals must be collected and used fairly, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as necessary and not disclosed to any third party unlawfully.

How do we use your information within the school?

Within the school, Personal Data may be shared between colleagues who legitimately need the information to carry out their duties.

A member of staff's name, department, e mail address and telephone number may appear in the school's internal email and telephone directory. This information may also appear on the school's website. Staff photographs are used for the purposes of identification and security (for instance, for ID Badges).

We may monitor computing use through usernames and logins to ensure adherence to the IT policies or for statistical purposes.

The school is required to obtain information about past criminal convictions as a condition of employment. We also undertake DBS and other pre - employment and

The amount of personal information shared within the school will be no more than is reasonably necessary.

How do we share your data with third parties?

We may need to share your personal and Sensitive Personal Data with third parties outside the school who are contracted to work on its behalf, for example to pension and payroll providers, insurers or legal consultants. IT data might be used for testing purposes outside of the school. We may also confirm dates and nature or details of an individual's employment to a prospective employer in a reference. In certain circumstances, the school may pass the data of staff debtors to an external debt collection agency if the school has been unable to recover the debt by normal internal financial or HR processes.

West Midlands Education & Skills may also have to share your Personal Data with other third parties outside the school for other purposes with your consent. However, there may be circumstances where information is shared without consent. This will only be if:

- there is a statutory obligation to share the data; for example, making returns to the local authority;
- disclosure of non Special Category Personal Data is required for the performance of a contract;
- disclosure is necessary to protect your vital interests; for example, in medical emergency situations;
- disclosure is made to assist with prevention or detection of crime, or the apprehension or prosecution of offenders;
- disclosure is required by a Court Order;
- disclosure is necessary to assist the school to obtain legal advice.

We may occasionally need to share your Special Category Personal Data outside the school, although it will try to do so only with your explicit consent. There may be some occasions when your consent is not gained. This will only be when processing is necessary:

- to protect your vital interests and you cannot give your consent or your consent cannot be reasonably obtained;
- to protect another person's vital interest and you have unreasonably withheld your consent;

- when we cannot reasonably obtain your explicit consent;
- when processing is necessary to meet our statutory obligations in relation to equality and diversity monitoring;
- when the disclosure is made for the purpose of prevention or detection of crime, the apprehension or prosecution of offenders and we have received a notice from the police confirming that the disclosure is required for these purposes;
- pursuant to a Court Order requiring disclosure; or
- in order for the school to obtain legal advice or for the purposes of any legal proceedings.

How long is my data kept?

Your Personal Data is kept by the school for as long as you remain an employee of it. After this time, different legal retention schedules apply. In addition, for Safeguarding reasons, the current advice to schools is that some information is kept indefinitely.

Your rights in relation to your data

You have certain rights with respect to the data held about you by the school. You can make a written request to obtain access to the data held about you by the school (a Subject Access Request), subject to certain exemptions. You also have the right to have errors and omissions corrected or out of date or irrelevant information removed. Minor day to day requests for information and corrections can be taken up with the Head of Administration.

If you wish to make a formal subject access request, please contact West Midlands Education & Skills' Data Protection Officer (learning@wmes.org.uk). If you have a concern about the way we are collecting or using your Personal Data, we ask that you raise any concerns with the school directly via the HR office or concerns relating to data to the school's Data Protection Officer. Alternatively, if you believe the school is not acting in accordance with Data Protection Law, you can contact the Information Commissioner's Office directly at: <https://ico.org.uk/concerns/>