

**Privacy Notice**

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) came into force on 25 May 2018. Data protection laws are designed to keep people's personal information safe. Your personal privacy is of great importance to us. This privacy notice is about how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information.'

**Who we are**

For the purposes of data protection legislation, the Willow Learning Trust (WLT) is the Data Controller. This means it is in charge of personal data about you. If you want to contact us about your personal information you can contact our Data Protection Officer via email: [DPOfficer@glenthorne.sutton.sch.uk](mailto:DPOfficer@glenthorne.sutton.sch.uk).

Where we outsource data to a third-party processor, the same data protection standards that the Trust upholds are imposed on the processor.

**What data do we collect?**

We process personal data relating to those who we employ, or otherwise engage, to work in the Trust. The categories of personal information that the Trust collects, holds and shares includes, but is not limited to, the following:

- Contact details;
- Date of birth, marital status and gender;
- Next of kin and emergency contact numbers;
- Salary, annual leave, pension and benefits information;
- 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 CV or cover letter or as part of the application process;
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships;
- Performance information;
- Outcomes of any disciplinary and/or grievance procedures;
- Absence data;
- Copies of documents which provide proof of ID;
- Photographs;
- CCTV footage;
- Data about your use of the school's information and communications system.

We may also collect, store and use information about you that is classed as special category personal data. This includes information about a person's:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data (such as data relating to the inherited or acquired genetic characteristics of an individual);
- Biometric data (for the purpose of uniquely identifying an individual);
- Data concerning an individual's health (including physical and mental health, medical conditions and sickness absence);
- Sex life or sexual orientation.

Criminal data is not included within the definition of special categories of data but we will process criminal data using the same safeguards we operate in respect of special categories of data.

## **Ensuring your personal data is accurate**

We will keep the personal data we store about you accurate and up to date. We will take every reasonable step to erase or rectify inaccurate data without delay. Please tell us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you. We will contact you periodically to check your details are still up to date. We will also contact you if we become aware of any event which is likely to result in a change to your personal data.

## **Why do we collect it?**

The law requires us to collect and process employees' personal data. The purpose of processing your personal data is to enable us to run the Trust, which includes:

- Enabling you to be paid;
- Facilitating safe recruitment, as part of our safeguarding obligations towards pupils;
- Supporting effective performance management;
- Informing our recruitment and retention policies;
- Allowing better financial modelling and planning;
- Enabling ethnicity, disability and gender pay monitoring;
- Improving the management of workforce data across the sector;
- Facilitating corporate transactions involving the Trust.

If you fail to provide us with certain personal data, consequences may include:

- Staff not being paid on time;
- Incorrect deductions being taken from salary;
- The Trust failing to comply with its statutory recording and reporting obligations.

Your personal data will only be processed to the extent that it is necessary for the specific purposes we tell you about.

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us. 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.

## **How we use your information**

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

- Fulfil a contract we have entered into with you;
- Comply with a legal obligation; or
- Carry out a task in the public interest.

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

- You have given us consent to use it in a certain way. We will tell you when we need consent and will provide more information. If you give us consent, you can withdraw it at any time by getting in touch with us;
- We need to protect your vital interests (or someone else's interests); or
- We (or a third party) have legitimate interests in processing the personal data – for example to support the Trust to develop strategies and plans to support its sustainability.

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 personal data.

We will only process special category personal data where a further processing condition is met. Usually this will mean that you have given your explicit consent, the processing is necessary for the assessment of your working capacity or that the processing is legally required for employment purposes.

## **What are our legitimate interests (or the legitimate interests of a third party)?**

We consider that in some circumstances, the processing of your personal data is necessary for our (or a third party's) legitimate interests, which include:

- Ensuring our workforce is managed effectively. This requires us to manage your holiday entitlement, payroll matters, conduct periodic performance reviews and, if required, take disciplinary action;
- Ensuring that the information you provide us with in the recruitment process and while you are employed by us is accurate;
- That we process personal data to ensure you have the right skills, training and experience for your role.

## **How do we store your data?**

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of your personal data, and against the accidental loss of, or damage to, personal data.

We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction or deletion. We will only transfer personal data to a third party if that third party agrees to comply with those procedures and policies, or if they put in place adequate measures themselves.

Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

## **How we share your information with third parties**

We will not disclose your personal data to a third party without your consent unless we are satisfied that they are legally entitled to the data or we are required to provide the personal data by law. Where we do disclose your personal data to a third party, we will have regard to the data protection principles.

We are required by law to pass on some of the personal data we collect to:

- Our local Authority
- The Department for Education (DfE)

The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector,
- enabling development of a comprehensive picture of the workforce and how it is deployed,
- informing the development of recruitment and retention policies,
- allowing better financial modelling and planning,
- enabling ethnicity and disability monitoring ; and
- supporting the work of the School Teachers' Review Body.

If you require more information about how we and or DfE store and use your personal data please visit:

- <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>
- <http://www.sutton.gov.uk/index.aspx?articleid=3398>

We disclose personal data about you to the Disclosure and Barring Service (DBS) for the purposes of carrying out checks on your suitability for work with children.

We disclose details about you, including your national insurance number and absence information to our payroll provider to enable you to be paid.

We share your identity and pay information with HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions.

Where you have decided to become part of a salary sacrifice scheme such as that for childcare vouchers, we share your details with the provider to the extent necessary for them to provide the vouchers to you.

We share your details with your pension provider in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement. For teachers the scheme is the TPS, for support staff the scheme is LGPS.

We sometimes need to share information with other organisations that provide systems for managing data and information within Academies. Where this is the case, those organisations will act as Data Processors on behalf of the Trust and they will need to comply with all current Data Protection legislation to keep personal information safe.

### **Transferring personal data internationally**

We will not transfer your personal data outside the European Economic Area ("EEA") unless such transfer is compliant with the GDPR. This means that we cannot transfer any of your personal data outside the EEA unless:

- The EU Commission has decided that another country or international organisation ensures an adequate level of protection for your personal data; or
- The transfer of your personal data is subject to appropriate safeguards, which may include:
  - Binding corporate rules; or
  - Standard data protection clauses adopted by the EU Commission.

One of the derogations in the GDPR applies (including if you explicitly consent to the proposed transfer). We currently transfer personal data outside the EEA as:

- We store personal data on cloud systems based in the EEA that have backup systems that may sometimes be located outside the EEA;
- Some software providers (data processors) use cloud storage located outside the EEA

### **How long we keep your information**

We only keep information for as long as we need it or for as long as we are required by law to keep it. Full details are given in our **Retention Policy** which is available on FROG or the WLT website.

### **You have these rights:**

- Ask for access to your personal information
- Ask for rectification of the information we hold about you.
- Ask for the erasure of information about you (although we may have good reasons why we cannot do this)
- Ask for our processing of your personal data to be restricted
- Ask for us to transfer your information to another organisation
- Object to us processing your information

There is more information in our **Data Protection Policy** which is available on the WLT website.

If you want to use your rights, for example, by requesting a copy of the information which we hold about you, please contact the Data Protection Officer. If at any time you are not happy with how we are processing your personal information then you may raise the issue with the Data Protection Officer. If you are not happy the outcome, you may raise a complaint with the Information Commissioner's Office:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Tel: 0303 123 1113 (local rate) or 01625 545745 if you prefer to use a national rate number.