



Meller Educational Trust
Aspiration, Compassion
& Excellence

Data Protection Privacy Notice - Staff

Meller Educational Trust

Approved by:	Director of Finance	Date: 25/05/2018
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Last reviewed on:	-
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Next review due by:	May 2019
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1. Privacy notice for staff

Under data protection law, individuals have a right to be informed about how the Meller Educational Trust (the Trust) and its schools uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing 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 at our Trust and any of its associated schools.

The Meller Educational Trust is the legal entity for schools within the Trust. The Trust is the 'data controller' for the purposes of data protection law. The Bushey Academy and Francis Combe Academy are part of this multi academy trust.

Our data protection officer is David Hughes (see 'Contact us' below).

The Information Commissioners Office has provided a checklist of information that must be supplied to individuals whose data we process. [ICO's checklist](#)

2. The personal data we hold

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

- Contact details, contact preferences, identification documents
- 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 an application form, 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
- Copy of driving licence
- 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 falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

3. Why we use this data

The purpose of processing this data is to help us run the Trust and its associated schools, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

4. Our lawful basis for using this data

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
- 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 need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data. We will consult in such circumstances.

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 school's use of your data.

5. Collecting this information

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.

6. How we store this data

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.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our records management policy.

The Trust's Records Management Policy is published on-line on individual schools' websites and on the Trust's website www.mellereducationaltrust.org.

7. Data sharing

We do not share information about you 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 about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns.
- The Department for Education – if required for statutory purposes, such as student, child and workforce data
- Your family or representatives - if requested and subject to any exceptions requested by such parties, providing regulations are not breached in putting such exceptions in place
- Educators and examining bodies – to meet contractual needs relating to exams, coursework and educational assessment
- Our regulator (e.g. Ofsted) – if required by statute
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations (e.g. SQuid, Parent Pay who provide payment services.) This will be subject to consent.
- Central and local government, including HMRC – where required by legislation
- Our auditors – under statutory access requirements, but only insofar as is necessary for them to fulfil their statutory duties
- Survey and research organisations – by consent only
- Trade unions and associations -
- Health authorities – where consent is in place
- Health and social welfare organisations - for safeguarding reasons or where consent is in place
- Professional advisers and consultants
- Charities and voluntary organisations – by consent only
- Police forces, courts, tribunals and security organisations – where regulations permit
- Professional bodies
- We will supply references in line with our policy and with your consent

Note: the Trust consists of Francis Combe Academy, Bushey Academy and central staff. Data may be shared between staff throughout the Trust in order to perform an official task or where there is a legal obligation. This applies to existing schools and schools joining the Trust in the future. The actions and safeguards within this privacy notice will be observed throughout the Trust in controlling, processing or sharing data.

8. Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

9. Your rights

How to access personal information we hold about you

Individuals have a right to make a **'subject access request'** to gain access to personal information that the Trust (or its schools) holds about them.

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 of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request we recommend you do so using the form at Annex 1. Completed forms should be sent to the Data Protection Officer for the Trust or the Data Protection Lead at your school, details at 'Contact us' below.

10. Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the data protection lead at the relevant school or the data protection officer for the Trust.

11. 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 the Data Protection Lead in your School in the first instance. Your data protection lead is:

- For Bushey Academy, Michael Chapman - MChapman@thebusheyacademy.org
- Francis Combe Academy, Jacqueline Hurst, email: J.Hurst@franciscombeacademy.org.uk

If your complaint is not dealt with to your satisfaction then you should refer it to the chair of governors of the school's Local Governing Body. They will review whether the school has acted in accordance with the data protection policy.

Should a satisfactory resolution not be reached, then your complaint will be referred to the Data Protection Officer for the Trust. We will make every endeavour to resolve your complaint but recognise that you also have the right to make a complaint to the Information Commissioner's Office. They can be contacted by calling 0303 123 1113 or reporting a concern at <https://ico.org.uk/concerns/>. Alternatively, you can write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

12. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Trust's **data protection officer**:

- David Hughes, Director of Finance and Operations: david.hughes@mellereducationaltrust.org

Each school has a data protection lead, and they can be contacted in the first instance regarding any issues or concerns relating to data protection. These leads are:

- For Bushey Academy, Michael Chapman - MChapman@thebusheyacademy.org
- Francis Combe Academy, Jacqueline Hurst, email: J.Hurst@franciscombeacademy.org.uk

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this Trust.

Appendix 1: Subject Access Request Form

[Insert date]

[insert your name and address]

Re: Subject Access Request

Dear [insert the name of your data protection officer]

Please provide me with the information about me that I am entitled to under the General Data Protection Regulation. This is so I can be aware of the information you are processing about me, and verify the lawfulness of the processing.

Here is the necessary information:

Name	
Relationship with the school	Please select: Pupil / parent / employee / governor / volunteer Other (please specify):
Correspondence address	
Contact number	
Email address	
Details of the information requested	Please provide me with: <i>Insert details of the information you want that will help us to locate the specific information. Please be as precise as possible, for example:</i> <ul style="list-style-type: none">• Your personnel file• Your child's medical records• Your child's behavior record, held by [insert class teacher]• Emails between 'A' and 'B' between [date]

If you need any more information from me, please let me know as soon as possible.

Please bear in mind that under the GDPR you cannot charge a fee to provide this information, and in most cases, must supply me with the information within 1 month.

If you need any advice on dealing with this request, you can contact the Information Commissioner's Office on 0303 123 1113 or at www.ico.org.uk

Yours sincerely

Name