

Privacy Notice

Staff



Under data protection law, individuals have the right to be informed about how the College 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 when we process their personal data.

This Privacy Notice explains how we collect, store and use personal data about individuals that we employ, or otherwise engage, to work at The Spires College.

The Spires College, Westlands Lane, Torquay, TQ1 3PE, is the 'data controller' for the purposes of data protection law. The Spires College is registered with the ICO under the Data Protection Act. Our registration number is ZA159941.

Our Data Protection Officer (DPO) is Jane Richardson.

What information do we collect about our workforce?

We process data relating to those individuals who we employ permanently, or otherwise engage *e.g. in a volunteer capacity or on a temporary contract*, to work at The Spires College.

Personal data that we may collect, use, store and share (where appropriate) about you includes, but is not restricted to:

- ▲ personal information (such as name, employee or teacher number, date of birth, marital status and gender)
- ▲ contact details (such as address, telephone numbers, personal email address, next of kin and emergency contact details)
- ▲ contract information (such as start date, hours worked, post, roles, salary information, annual leave, pensions and benefits information)
- ▲ financial information (such as bank account details, payroll records, national insurance number and tax status information)
- ▲ work attendance and absence information (such as number of absences and reasons)
- ▲ qualifications and employment information (such as work history, subjects taught, job titles, working hours, training records and professional memberships)
- ▲ recruitment information (such as application form, other information included in a CV or covering letter or as part of the interview process, references, right to work information and copy of driving licence and/or other forms of identification)

- ▲ work performance information and history (such as Performance and Development Review, correspondence, information about disciplinary, capability or grievance matters, including any warnings issued to you)
- ▲ Vehicle make, model and registration number
- ▲ Photographs
- ▲ CCTV footage
- ▲ Information about your use of the College's information and communications systems

We may also collect, store and use information about you that falls into 'special categories' of data which are more sensitive and so need more protection. This includes information about race, ethnicity, religious beliefs, sexual orientation, political opinions, health and trade union membership.

This list is not exhaustive. To access the current list of categories of information we process please contact the Data Protection Officer.

Why we collect and process this information

We process this information because the processing is necessary for us to enter into an employment (or other work-related) contract with you and for the subsequent performance of that contract, for example to ensure you are paid correctly and receive your entitlements to sick pay and annual leave. We also need to process this information to ensure that we are complying with our legal obligations, such as ensuring that you have the right to work in the UK, and to defend legal claims.

We process special category data, such as information about your ethnic origin or health, as part of our equal opportunities monitoring process and in order to meet legal obligations (such as obtaining advice from occupational health providers about health conditions to ensure compliance with employment and health and safety law). Where we process information for the purposes of equal opportunities monitoring, this information is collected only with the express consent of employees. Consent may be withdrawn by an employee at any time.

We use other school workforce data to manage the day-to-day operation of the school, where processing is necessary for the purposes of the legitimate interests of the employer. In relying on legitimate interests, we first consider the necessity of processing the data when balanced against the interests, rights and freedoms of the individual. These legitimate interests include:

- ▲ to manage recruitment processes and respond to reference requests
- ▲ to inform the development of recruitment and retention policies
- ▲ to keep records of employee performance and work history, including training and appraisal records, and to ensure acceptable standards of conduct are maintained

- ▲ to manage professional learning, training and career progression
- ▲ to manage absence effectively
- ▲ to manage day-to-day HR administration
- ▲ to enable the development of a comprehensive picture of the workforce and how it is deployed

Less commonly, we may also process personal information about you when:

- ▲ you have given us consent to use it in a certain way
- ▲ we need to protect your vital interests (or someone else's interests)

Where you have been asked for and provided consent to process your data, you may withdraw that consent at any time. We will make this clear when requesting your consent and explain how to withdraw your consent if you wish to do so.

We do not make employment decisions based on automated decision-making.

If we wish to process your personal data for a new purpose we will inform you of any additional processing.

Some of the reasons listed above for collecting and processing personal information about you overlap and there may be several legal bases which justify the College's processing of your personal data.

How we collect this information

We collect information from you both prior to and during your employment from a range of sources, including your application form, correspondence with you, forms you complete prior to and during employment, from interviews, performance and development reviews, and other meetings.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

How we store this information

We hold school workforce data securely in your personnel file, in electronic records within our HR system and also in other IT systems, including email.

We hold data securely for the amount of time specified in our data retention schedule. The personal data we hold on staff is held and disposed of in accordance with the [IRMS Information Management Toolkit for Schools](#)

In summary we retain most records relating to your employment on your personnel file for six years after employment has ended.

Evidence of your right to work in the UK is retained on your personnel file for two years after employment has ended, in accordance with Home Office recommendations.

Allegations of a child protection nature remain on file until normal retirement age, or 10 years from the date of the allegation, if longer, in accordance with statutory guidance.

Identity documents obtained for the purposes of undertaking a Disclosure and Barring Service check are only retained until the results of the check have been received.

Who we share this information with

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

Within the College, your information will be shared with staff with an HR or recruitment responsibility and managers within your area of work or department.

Beyond the College, we share your information when necessary with the local authority, in order to comply with legal obligations and statutory guidance regarding the safeguarding of children and young people.

We also share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment. See the section below on 'Department for Education data collection requirements' for further detail.

Other third parties

We will also share your data with certain third parties to fulfil legal requirements, obtain or provide necessary information or because the third party processes data on our behalf. These third parties include:

- ▲ Your previous employers in order to undertake pre-employment checks
- ▲ The Disclosure and Barring Service in order to undertake pre-employment checks and follow-up checks during employment
- ▲ Suppliers and consultants that provide us with a service, such as occupational health, HR or legal services and payroll
- ▲ Trade unions or any other representative acting on your behalf
- ▲ Ofsted
- ▲ The Teacher Regulation Agency
- ▲ Your family or representatives, for instance in the event of an accident at work
- ▲ Examining bodies

- ▲ Financial organisations, for example to support a mortgage application
- ▲ The College's auditors, specifically for the purposes of meeting our audit requirements
- ▲ Police forces, courts and tribunals, where we have a legal obligation to do so
- ▲ Employers and recruitment agencies, to support individuals seeking employment with the College or elsewhere

This list is not exhaustive. To access the current list of third parties with whom we may share your data please contact the Data Protection Officer.

When we appoint third parties to process data on our behalf, the third party is also required to process the data lawfully and fairly and in a manner that ensures appropriate security of the data, using appropriate technical or organisational measures to protect against unauthorised or unlawful processing and accidental loss.

We do not transfer your data to countries outside the European Economic Area.

Why we share this 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 data collection requirements

We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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>

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, contact the College's Data Protection Officer.

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

Complaints

We take any complaints about our collection and use of personal information very seriously. 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.

To make a complaint, please contact our Data Protection Officer, Jane Richardson, using dpo@thespirescollege.com

Alternatively, you can contact the Information Commissioner's Office:

- ▲ online at <https://ico.org.uk/concerns>
- ▲ by telephone on 0303 123 1113
- ▲ by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer, Jane Richardson, using dpo@thespirescollege.com