

## Workforce Privacy Notice

### Introduction

We, Birmingham Diocesan Multi-Academy Trust, are the ‘controllers’ of the information which we collect about you (‘personal data’). Being controllers of your personal data, we are responsible for how your data is processed. The word ‘process’ covers most things related to personal data, including collection, storage, use and destruction of that data.

This notice explains why and how we process your data, and explains the rights you have around your data, including the right to access it, and to object to the way it is processed. Please see the section on ‘Your rights as a data subject’ for more information.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey C of E Primary School – Warwickshire  
 Christ Church, Church of England, Secondary Academy – Yardley Wood  
 Coleshill Church of England Primary School – Coleshill (North Warwickshire)  
 Hawkesley Church Primary Academy – Kings Norton  
 Holy Trinity Church of England Primary Academy – Handsworth  
 Lady Katherine Leveson - Solihull  
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire)  
 Nonsuch Primary – Woodgate Valley  
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)  
 Quinton Church Primary School  
 St. Clement’s Church of England Primary Academy – Nechells  
 St George’s Church of England Primary Academy – Edgbaston  
 St George’s Church of England Primary Academy – Newtown  
 St Margaret’s Church of England Primary School - Solihull  
 St Michael’s Church of England Primary Academy – Handsworth  
 St Michael’s Church of England Primary Academy – Bartley Green  
 Warton Nethersole’s C.E. Primary School - Tamworth (Staffordshire)  
 Woodside Church of England Primary School – Warwickshire

We are an education organisation and our contact details are:

Address:	1 Colmore Row, Birmingham, B3 2BJ
Email:	<a href="mailto:enquiries@bdmatschools.com">enquiries@bdmatschools.com</a>
Telephone number:	0121 426 0403

## **Personal data**

'Personal data' is any information that relates to a living, identifiable person. This data can include your name, contact details, and other information we gather as part of our relationship with you.

It can also include 'special categories' of data, which is information about a person's race or ethnic origin, religious, political or other beliefs, physical or mental health, trade union membership, genetic or biometric data, or sexual orientation. The collection and use of these types of data is subject to strict controls. Similarly, information about criminal convictions and offences is also limited in the way it can be processed.

We are committed to protecting your personal data, whether it is 'special categories' or not, and we only process data if we need to for a specific purpose, as explained below.

We collect your personal data mostly through our contact with you, and the data is usually provided by you, but in some instances, we may receive data about you from other people/organisations. We will explain when this might happen in this notice.

## **School workforce information**

**The categories of school workforce information that we collect, process, hold and share include:**

- personal information (such as name, address, employee or teacher number, national insurance number);
- special categories of data including characteristics information (such as gender, age, ethnic group);
- contract information (such as start dates, hours worked, post, roles and salary information);
- work absence information (such as number of absences and reasons);
- qualifications (and, where relevant, subjects taught);
- Medical Information (details of medical needs such as asthma, allergies, diabetes and other medical conditions, including shielding letters related to COVID19); and
- Payroll data (such as salary, bank details, emergency contacts).

## **Why we collect and use this information**

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- enable individuals to be paid; and
- ensure duty of care is in place for medical conditions.

## **The lawful basis on which we process this information**

We process this information under:

Article 6b of the GDPR

- where processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; and

Article 6e of the GDPR

- where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; and

Article 6c of the GDPR

- where processing is necessary to comply with the law. All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005 and section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments states that schools must share data with DfE.

In addition, concerning any special category data:

This data is processed under Article 9b of the GDPR and Schedule 1 of the DPA where 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.

## **Collecting this information**

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.

## **Storing this information**

We hold workforce data in line with data retention guidelines, which is outlined in the IRMS [Information Management Toolkit for schools](#) and copy is available on request.

## **Who we share this information with**

We routinely share this information with:

- our local authority;
- the Department for Education (DfE);
- HMRC;
- BDMAT's outsourced payroll supplier;
- BDMAT's outsourced finance support supplier; and
- BDMAT's auditors.

## **Why we share school workforce information**

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

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

## **Data collection requirements**

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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; and
- 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 or subject access request**

Under data protection legislation, you have the right to request access to information about you that we hold.

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

*Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.*

*If you are making a verbal request, try to:*

- *use straightforward, polite language;*

- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform them if anything is incorrect or missing before finishing the conversation.*

*However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).*

So to avoid confusion we ask you when making a subject access request, or requesting to be given access to your child's educational record, you do so by contacting our Data Protection Officer, Chris Manning, in writing either to Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or by email to [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

You also have the right to:

- object to the 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
- claim compensation for damages caused by a breach of the Data Protection regulations.

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/>

### **Last updated**

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last update on October 8<sup>th</sup>, 2020.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer (DPO), Chris Manning, Chief Finance & Operations Officer, at 1 Colmore Row, Birmingham, B3 2BJ, [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk) or 0121 426 0403.