



Privacy Notice for Staff

May 2020

Office use

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Associated documents:			
Links to:			

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1 Data controller:

**Diverse Academies Trust, Diverse Education Centre, Old Hall Drive, Retford,
Nottinghamshire, DN22 7EA**

2 Data protection officers:

Mrs Alison Elway

The Trust collects and processes personal data relating its employees to manage the employment relationship. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

3 What information does the trust collect?

The Trust collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender.
- the terms and conditions of your employment.
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Trust;
- information about your remuneration, including entitlement to benefits such as pensions.
- details of your bank account and national insurance number.
- information about your marital status, next of kin, and emergency contacts.
- information about your nationality and entitlement to work in the UK.
- information about your criminal record.
- details of your schedule (days of work and working hours) and attendance at work.
- details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave.
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence.
- assessments of your performance, including appraisals, performance reviews, performance improvement plans and related correspondence.
- information about medical or health conditions, including whether or not you have a disability for which the Trust needs to make reasonable adjustments.

The Trust may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity

documents such as your driving licence; from forms completed by you at the start of or during employment (such as benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Trust may collect personal data about you from third parties, such as references supplied by former employers, and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including in your personnel file, in the Trust's HR management systems and in other IT systems (including the Trust's email system).

4 Why does the Trust process personal data?

The Trust needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pension entitlements.

In some cases, the Trust needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the Trust has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Trust to:

- run recruitment and promotion processes.
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights.
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled.
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled.

- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Trust complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration.
- provide references on request for current or former employees; and
- respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities).

5 Who has access to data?

Your information may be shared internally, including with members of the HR team (including payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

The Trust shares your data with third parties in order to obtain pre-employment references from other employers and obtain necessary criminal records checks from the Disclosure and Barring Service. The Trust may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

The Trust also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.

The Trust will not transfer your data to countries outside the European Economic Area.

6 How does the Trust protect data?

Diverse Academies takes the security of your data seriously. The Trust has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where Diverse Academies engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

7 For how long does the Trust keep data?

The Trust will hold your personal data for the duration of your employment. The period for which your data is held after the end of employment is 7 years after employment ceases.

8 Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request.
- require the Trust to change incorrect or incomplete data.
- require the Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the Trust is relying on its legitimate interests as the legal ground for processing.

If you are still unsatisfied you may then complain to the Information Commissioner.

9 Complaints

If you believe that the Trust has not complied with your data protection rights, any complaints will be dealt with in the first instance according to the Diverse Academies Concerns and Complaints Policy <http://dalp.org.uk/wp-content/uploads/2018/08/Concerns-and-complaints.pdf>

If the complaint is unresolved by following this policy, any complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at:

Wycliffe House Water Lane

Wilmslow

Cheshire

SK9 5AF

www.ico.gov.uk

or report a concern online at <https://ico.org.uk/concerns>

Call 0303 123 1113

10 What if you do not provide personal data?

You have some obligations under your employment contract to provide the Trust with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Trust with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Trust to enter a contract of employment with you. If you do not provide other information, this will hinder the Trust's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.