

GDPR Privacy Notice

Workforce Employees, Volunteers & anyone engaged at the SEAX Trust or Trust Schools

Version History : Ratified by the CEO:	Date: 16th October 2024
---	---

V24.1	June 2024	Reference to information sharing added in an employee medical or mental health emergency in the following sections: <ul style="list-style-type: none">• Why we collect and use workforce information• Who we share workforce information with• Why we share school workforce information
-------	-----------	--

Privacy Notice (How we use school workforce information)

This privacy notice explains how we collect, process and manage information for the school workforce. That includes employed members of staff, volunteers, trainee teachers, apprentices and work experience/workplace placements.

SEAX Trust and its individual provisions are the data controllers for the use of personal data in this privacy notice.

The categories of school workforce information that we collect/process:

These include:

- personal information (such as name, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, 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 and relevant information relating to disabilities where special adjustments are necessary
- other personal information
- references
- bank account details, where relevant, to allow individuals to be paid

This list is not exhaustive, to access the current list of categories of information we process please see the data asset register, available from the school/Trust office.

Why we collect and use workforce information

We share information to comply with statutory, regulatory and contractual obligations. These may include, but are not limited to:

- improving the management of workforce data across the sector enabling development of a comprehensive picture of the workforce and how it is deployed
- pay salaries and pension contributions
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers' Review Body
- compliance with guidance such as 'Working Together' and safeguarding obligations

- facilitating good governance
- internal reviews and quality monitoring
- CPD and staffing issues
- Fulfilling our duty of care towards our workforce during a medical or mental health emergency

If we are required to comply with other legal obligations not listed above, we will share data only when it is lawful to do so.

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid
- d) comply with our safer recruitment requirements
- e) comply with requirements from wider governmental departments, such as HMRC

The lawful basis on which we process this information

We must make sure that information we collect and use about our workforce is in line with the UK GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect and process information comes from a variety of sources, such as Article 6 and Article 9 of the UK GDPR and the Safeguarding of Vulnerable Groups Act 2006. We also have obligations to organisations such as HMRC and the Department of Work and Pensions.

Collecting workforce information

We collect personal information via pre and post-employment forms completed by the individual, referees supplied by the individual, the DfE website and the websites of other regulated bodies in relation to teaching (and other) professionals.

Workforce data is essential for the school's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

Storing workforce information

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit www.seaxtrust.com and the SEAX Trust Records Management policy/Retention Schedule, available from the school/Trust office.

Who we share workforce information with

We routinely share this information within the SEAX Trust itself and also with:

- our local authority – Essex County Council
- the Department for Education (DfE)
- safeguarding and protection for children and vulnerable adults
- payroll services – SGW Payroll and PS Financials
- legal advisers – Messrs Browne Jacobson
- insurance providers - Zurich
- HMRC

- Teacher Pension Scheme and the Local Government Pension Scheme (and other pension providers)
- health professionals including the emergency services
- Our Database Provider – Arbor
- GIAS – The Academies’ Financial Handbook

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.

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.

We share details of critical incidents with the Local Authority at:

Schools.communication@essex.gov.uk

Department for Education (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information with the Department for Education (DfE) for the purpose of those data collections. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding/ expenditure and the assessment educational attainment. Some of this information is publicly available on the Government Information Advisory Service (GIAS) website.

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.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet the current [government security policy framework](#).

For more information, please see ‘How Government Uses your Data’ section of this privacy notice.

Safeguarding and protection for children and vulnerable adults

We share information with the LADO in relation to safeguarding allegations, as required. In certain circumstances, we are also required to share information with the Police. In cases where individuals are barred from teaching or working in a school, we share details with the DBS Service. We share this information under a legal duty to report allegations under the Southend, Essex & Thurrock (SET) Procedures and in line with Keeping Children Safe in Education (KCSIE).

Our Payroll Provider

If you are in paid employment with the SEAX Trust, we share personal data including bank details with our payroll provider in order that we can make financial remuneration through an automated system.

Our Legal Advisers

We share information with our legal advisers, Messrs Browne Jacobson in relation to legal matters, as required. This may be in relation to the drafting of legal agreements (beyond normal workforce contracts), such as settlement agreements and tribunal information.

Our Insurance Providers

We share information with our insurance providers, Zurich Insurance, as required, in relation to specific insurance claims.

HMRC

We have a legal obligation to share details for paid employees with HMRC, so that tax and National Insurance payments can be made.

We are legally required to ensure that all employees and volunteers have the right to work in the UK. We may be required to share certain details relating to individuals in response to HMRC spot checks.

Health Providers

The Trust reserves the right to refer paid employees to its Occupational Health provider, where it is considered that this may prove beneficial. In such circumstances, employees will be provided with a copy of the information shared.

Our Database Contractor

We store (and therefore share) data about you including personal and contractual information with our database provider. This allows us to hold your information in a secure way which complies with data protection requirements. It also allows us to fulfil our statutory requirements to share your data with the DfE, as explained above, in the safest and most efficient way.

Our Pension Providers

We share your data with the relevant pension provider; Teachers' Pensions for qualified teaching staff and The Local Government Pension Scheme for all other employees. This happens automatically upon employment with the SEAX Trust through the 'Automatic Enrolment' requirement placed on schools. However, you have the right to 'opt out' without any payments being made should you decide to do so and this is explained to you on employment.

The Academies Financial Handbook

We are required to share information about individuals in governance roles with the (DfE) under the requirements set out in the Academies Financial Handbook . All data is entered manually on the GIAS system and held by DfE under a combination of software and hardware controls which meet the current government security policy framework.

For more information, please see 'Trustees/LGG members: How the Government uses your Data'

Data protection law allows us to share personal information in an urgent or emergency situation, including to help prevent loss of life or serious physical, emotional or mental harm. During a medical emergency, including a mental health emergency, where there is risk of serious harm to one of our workforce or to others we will share necessary and proportionate information without delay with relevant and appropriate emergency services or health professionals. We may also share necessary and proportionate information with an employee's next of kin or emergency contact. We will use our judgement in each specific situation, sharing only what is necessary and proportionate to the circumstances.

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, please contact:

SBM Services (uk) Ltd
Data Protection Officer for SEAX Trust (sub-contracted)
12 Park Lane Business Centre

SEAX Trust
c/o Grove House School
Sawyers Hall Lane

Park Lane
Langham
Colchester
Essex CO4 5WR
Telephone: 01206 671103

Brentwood Essex CM1 2BN
Essex CM15 9DA
Telephone: 01245 963000

You also have the right:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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/>
For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting The Data Protection Lead at SEAX Trust on 01245 963000.

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 updated in **October 2024**.

Further information

If you would like to discuss anything in this privacy notice, please contact The Data Protection Lead at SEAX Trust on 01245 963000.

More information about Data Protection and our Policies

How we manage the data and our responsibilities to look after and share data is explained in our Data Protection policy and connected policies which are also available on our website at www.seaxtrust.com

How Government uses your data

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department for Education (DfE)

The Department for Education (DfE) 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 for Education (DfE) 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 the Department for Education (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.

How to find out what personal information the Department of Education (DfE) hold about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE)t: <https://www.gov.uk/contact-dfe>