



Bacton
Primary School



Cedars Park
Primary School



Mendlesham
Primary School



Stowupland
High School



The John Milton
Sixth Form
AT STOWUPLAND HIGH SCHOOL

John Milton Academy Trust



Privacy Notice - Workforce

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John Milton Academy Trust

Registered Office: JMAT Centre · Church Road · Stowupland · Stowmarket · Suffolk · IP14 4BQ

Tel: 01449 742422

email: enquiries@johnmiltonacademytrust.co.uk

Company Number: 10298832

website: www.johnmiltonacademytrust.co.uk

1. Introduction

Under data protection law, individuals have a right to be informed about how our Trust 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 or schools**.

Our Trust, the John Milton Academy Trust, JMAT Centre, Church Road, Stowupland, Suffolk, IP14 4BQ, tel: 01449 742422, is the 'data controller' for the purposes of data protection law.

Our data protection officer is Schools' Choice (see 'Contact us' below).

2. The personal data we hold

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

- Contact details (such as name, address, email and phone numbers)
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Contract information (such as start date, salary, annual leave, pension and benefits information)
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours
- Copy of driving license, passport, birth certificate or other relevant ID
- Performance information, training records and professional memberships
- Bank account details, payroll records, National Insurance number and tax status information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Sickness records
- Protected characteristics as defined by the Equality Act 2010 (such as racial or ethnic origin, religious beliefs, disability status and gender identification)
- Photographs and CCTV images captured in school
- Trade union membership

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

3. Why we use this data

We use the data listed above to:

- a) Enable you to be paid
- b) Facilitate safe recruitment, as part of our safeguarding obligations
- c) Support effective performance management
- d) Inform our recruitment and retention policies and procedures
- e) Allow better financial modelling and planning
- f) Enable equalities monitoring
- g) Improve the management of workforce data across the sector
- h) Support the work of the School Teachers' Review Body
- i) Enable contact with next of kin in emergency situations
- j) To consider any reasonable adjustments you might need

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of a) and b) from section 3 above, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of d) from section 3 above, in accordance with the 'public task' basis – we need to process data to fulfil our statutory function
- For the purposes of b), c), e) and f) from section 3 above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
 - Keeping Children Safe in Education – statutory guidance for schools and colleges
 - The School Staffing (England) Regulations 2009 and the Education (School Teachers' Appraisal) (England) Regulations 2012
 - The Academies Financial Handbook
 - The Equality Act 2010
- For the purposes of a), b), c), d) f), i) and j) from section 3 above, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data

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 would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals
- Former employers or course providers

6. How we store this data

We keep personal information about you while you work at our Trust / schools. We may also keep it beyond your employment at our Trust / schools if this is necessary. Our record retention schedule sets out how long we keep information about staff.

A copy of our record retention schedule is available on the Trust website:

www.johnmiltonacademytrust.co.uk

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We only keep your information for as long as we need it or for as long as we are required by law to keep it. We will dispose of your personal data securely when we no longer need it. Full details are given in our records retention policy.

7. Who we share data with

We do not share information about you with any third party without 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 Suffolk County Council – we are required to share information about our workforce members under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments
- Government departments or agencies – to meet our legal obligations to carry out checks, such as DBS and prohibition checks and annual workforce census or annual facility time publication. 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
- Our regulator, Ofsted - to comply with a public task, such as fulfilling inspection requirements on safeguarding
- Suppliers and service providers:
 - EPM – for HR, payroll and recruitment purposes
 - Health Partners - for pre-employment health checks and occupational health
 - Insurers – for insurance purposes
 - Legal advisers acting on the behalf of the Trust – for legal matters
 - Schools' Choice Data Protection Office – for advice on data breach and subject access requests
- Financial organisations:
 - Teachers' Pensions and Local Government Pension Scheme – for pension information
 - HMRC – for tax purposes
- Our auditors Larking Gowen – to comply with a public task in order to meet certain financial obligations, such as our conditional funding agreement and the financial academies handbook
- Health authorities – to comply with a public task in order to meet certain reporting obligations, such as alerting Public Health England of a reportable disease
- Health and social welfare organisations – any information shared would be with the consent of the employee, such as supporting an access to work claim

- Professional advisers and consultants – to fulfil our public task of meeting educational needs and requirements, such as meeting our Key Performance Indicators
- Police forces, courts, tribunals – to meet our legal obligation to share certain information, such as a safeguarding concern or financial information.

7.1 Transferring data internationally

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

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- 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, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge 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
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

Our data protection officer is:

- Schools' Choice, data.protection@schoolschoice.org

However, our **data protection leads** have day-to-day responsibility for data protection issues in our Trust and schools.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

- JMAT – Nicola Hooper on: enquiries@johnmiltonacademytrust.co.uk
- Bacton Primary School – Donna Simonds on: admin@bactonschool.org.uk
- Cedars Park Primary School – Caroline Knights on: admin@cedarspark.suffolk.sch.uk
- Mendlesham Primary School – Donna Simonds on: admin@mendleshamschool.org.uk
- Stowupland High School – Magda Coppen on: enquiries@stowuplandhighschool.co.uk

All policies and procedures are available from John Milton Academy Trust (JMAT) School Offices, along with the JMAT Privacy Notices and Record Retention Policy, which provide specific details in accordance with the GDPR principles.