

Privacy Notice (How we use employee information)

Why do we collect and use employee information? (Lawful basis for processing)

We collect and use employee information under section 6(1)(b) of the GDPR which states 'Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract' and article 9(2)(b) The processing is necessary in the context of employment law, or laws relating to social security and social protection.

We use employee data:

- to carry out required legal background checks (DBS)
- to ensure employees receive their salary and pension contributions
- to monitor and review performance
- to ensure employees have a right to work in the UK
- to monitor sickness and absence levels
- improving the management of school workforce data across the sector
- enabling a comprehensive picture of the workforce and how it is deployed to be built up
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the Pay Review Panel

The categories of employee information that we collect, hold and share include:

- Personal information (such as name and address)
- Financial information (such as bank account data, National Insurance number, tax code)
- Characteristics (such as ethnicity, language, nationality, country of birth)
- Sickness and absence information
- Relevant medical information
- Safeguarding of Children and Individuals at risk

Collecting employee 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 the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing data

We hold data for the period of time as set out by the IRMS data retention guidance. A copy of which can be found on the Trust website www.gemslearningtrust.org.

Who do we share employee information with?

We routinely share employee information with:

- Pensions authorities – TPS, LGPS, People's Pension
- Payroll company – Dataplan and Strictly Education
- the Department for Education (DfE)
- Governors and trustees of the GEMS Learning Trust
- ICT providers – RM, SIMs
- Accountants – Edufin
- Auditors - UHY

Why we share employee information

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

We share employees' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school workforce monitoring.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/government/publications/school-workforce-census-2017-guides>

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Requesting access to your personal data

Under data protection legislation, employees have the right to request access to information about them that we hold. To make a request for your personal information contact Bethan Gorsuch, Data Protection Officer. We respectfully request that you request information during term time to give the academy the best opportunity to comply with your request within one calendar month although you are under no legal obligation to do so.

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
- 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, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact:

If you would like to discuss anything in this privacy notice, please contact:

- Beth Gorsuch, Data Protection Officer, gemslearningtrust@gemseducation.org.uk