



VALLEY INVICTA  
ACADEMIES TRUST

VIAT GDPR Privacy Notice  
Workforce

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## VIAT GDPR Privacy Notice - Workforce

### Information for VIAT Workforce on how your information is used in our educational settings

(Invicta Grammar School, School of Science and Technology Maidstone, The Lenham School, Valley Park School, Valley Invicta Primary School at Aylesford, Valley Invicta Primary School at East Borough, Valley Invicta Primary School at Holborough Lakes, Valley Invicta Primary School at Kings Hill, Valley Invicta Primary School at Leybourne Chase.)

Under data protection law, individuals have a right to be informed about how the school 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 school.

We, VIAT, are the 'data controller' for the purposes of data protection law.

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

- Personal information (such as name, employee or teacher number, national insurance number, date of birth, address);
- Next of kin and emergency contact numbers;
- Contract information (such as start dates, hours worked, post, roles, annual leave and salary 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;
- Performance information;
- Outcomes of any disciplinary and/or grievance procedures;
- Copy of driving licence;
- Photographs;
- Data about your use of the school's information and communications system;
- Qualifications (and, where relevant, subjects taught);
- Payroll information (salary information tax code, national insurance number, pension information, bank account details, childcare voucher information).

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions;
- Trade union membership;
- Health, including any medical conditions, and sickness records.

### 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;

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- enable individuals to be paid;
- ensure compliance with legal reporting duties.

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

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you;
- Comply with a legal obligation;
- Carry out a task in the public interest.

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way;
- We need to protect your vital interests (or someone else's interests);
- We have legitimate interests in processing the 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 go about withdrawing consent if you wish to do so. VIAT/school holds a data inventory. Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

### 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 create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment. Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the VIAT Records Management Policy and Retention Guidelines.

### Who we share this information with

We do not share information about you with any third party without your 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 (Kent County Council);
- The Department for Education (DfE);
- Teacher pension scheme and local government pension scheme;
- Occupational health provider;

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- Your family or representatives;
- Educators and examining bodies;
- Our regulator (Ofsted);
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll;
- Financial organisations;
- Central and local government;
- Our auditors;
- Survey and research organisations;
- Trade unions and associations;
- Health authorities;
- Security organisations;
- Health and social welfare organisations;
- Professional advisers and consultants;
- Charities and voluntary organisations;
- Police forces, courts, tribunals;
- Professional bodies;
- Employment and recruitment agencies.

### 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;
- 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;

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- 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

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 refer to the Trust Subject Access Request Policy.

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, we ask that you raise your concern with us in the first instance using the details outlined in the Trust Subject Access Request Policy.

Alternatively, you can contact the Information Commissioner's Office:

<b>Address</b>
Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
<b>Email</b>
casework@ico.org.uk
<b>Telephone</b>
0303 123 1113
<b>Fax</b>
01625 524 510

### Further information

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

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<b>VIAT Data Protection Officer</b>
Valley Invicta Academies Trust Huntsman Lane Maidstone Kent ME14 5DS
<b>Email</b>
clerk@viat.org.uk

