

DATA PROTECTION/ GDPR PRIVACY NOTICE

FOR STAFF, GOVERNORS AND DIRECTORS

NISHKAM SCHOOL TRUST

Who processes your information?

Nishkam School Trust is the data controller of the personal information you provide to us. This means the Trust is responsible for deciding how information you provide us with, is used. We refer to your information as “personal data” and when we use your information in different ways, this is called “processing”. The Data Protection Act 2018 (DPA) and the General Data Protection Regulation 2018 (GDPR) outlines how personal data should be protected and used appropriately by organisations.

In some cases, your personal data may be shared with other people, organisations or agencies as necessary. This sharing will only occur if we have a legal obligation or duty to do so or after we have sought your permission (consent). If we share your personal data outside of the Trust, we ensure that the same data protection standards are upheld by other people involved in processing your personal data.

The categories of staff / governance information that we process include:

- personal identifiers and contacts (such as name, employee number, national insurance number, contact details and address)
- characteristics (such as ethnicity, gender, age)
- safeguarding information (such as DBS)
- relevant medical information (such as doctor’s details, medical conditions, allergies)
- work absence information (such as number of absences and reasons)
- qualifications (and where relevant, subjects taught)
- payroll information (such as salary, bank details, position, start date)
- governance details (such as role, start and end dates and governor ID)

Why do we collect and use your information?

Nishkam School Trust holds personal data relating to employees, members of our Trust Board, Governors, Directors and individuals who may visit or support the Trust in other ways. We may also receive information from previous employers, Local Authorities and/or the DfE. We may share personal data with other agencies as necessary under our legal obligations or otherwise in accordance with our duties as a Trust.

We will use your personal information for the following:

- the recruitment process and for carrying out pre-employment checks;
- safeguarding students;

- checking your identity and right to work in the UK;
- checking your qualifications;
- to keep an audit trail of the checks we have made and our relationship with you in case of employment claims;
- to set up payroll and pension, and to reimburse expenses;
- communicating with you, including for marketing purposes;
- carrying out our role as your employer or potential employer.

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.

We use governor data to:

- a) meet the statutory duties placed upon us.

We collect and use personal data in order to meet our legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR;
- Education Act 1996.

All academy trusts, under the [Academies Financial Handbook](#) have a legal duty to provide the governance information as detailed above.

Whilst the majority of the personal data you provide is mandatory, some is provided on a voluntary basis. You will be informed whether you are required to provide this data or if it is requested on a voluntary basis.

How long is your data stored for?

Your personal data will be held securely in line with the school's Data Protection Policy and IRMS records management toolkit guidance on retention (www.irms.org.uk).

In accordance with GDPR, the Trust does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

Who we share workforce information with?

The Trust will routinely share information with:

- The Department for Education
- ESFA
- Local Authorities and its agencies
- Other Government agencies (where required)
- National Health Service
- Occupational Health (Telford Occupational Health Services Ltd)
- The providers of therapy and support services (working with pupils in school)
- The Trust's external Auditors (Stanley Yule)
- Providers of our pension schemes (TPS)

- The Trust's/Academy bankers (for claims/expenses – Lloyds Bank)

Why we share workforce and governor information?

We are required to share information about our Trust 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 DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

We are required to share information about our governors with the (DfE) under the requirements set out in the [Academies Financial Handbook](#).

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

How the Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental 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.

The governor data we share with the DfE is entered manually on the GIAS system and held by the DfE under a combination of software and hardware controls which meet the current [government security policy framework](#).

The governor data that we lawfully share with the DfE via GIAS:

- will increase the transparency of governance arrangements;
- will enable schools and the department to identify more quickly and accurately individuals who are involved in governance and who govern in more than one context;
- allows the department to be able to uniquely identify an individual and in a small number of cases conduct checks to confirm their suitability for this important and influential role.

Data collection requirements

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>.

Sharing by the Department of Education

The Department of Education may share information about Trust 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 of Education 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 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.

To contact the Department of Education: <https://www.gov.uk/contact-dfe>

What are your rights?

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, contact our Data Protection Officer at DPO@nishkamschools.org or by writing to Nishkam School Trust, Head Office, Great King St North, Birmingham, B19 2LF. Please address letters: **For the attention of the Data Protection Officer.**

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
- a right to seek redress, either through the ICO, or through the courts.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern or complaint 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/>

Where can you find out more information?

For more information about the Department of Education's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the DfE: <https://www.gov.uk/contact-dfe>