

SUTTON GRAMMAR SCHOOL TRUST

Privacy Notice – Staff

Who we are

1 Sutton Grammar School Trust is for the purposes of data protection legislation, the Data Controller. This means it is in charge of personal data about you.

2 The postal address of the Trust is: Manor Lane SUTTON SM1 4AS

3 The Data Protection Officer for the Trust is Dr N S Wrench. He can be contacted by email dpo@suttongrammar.sutton.sch.uk or telephone 020 8661 4544

4 In this policy 'we' and 'us' means the Sutton Grammar School Trust.

How we use your information

5 We process personal data relating to those we employ to work at, or otherwise engage to work at, the School and within the Trust. This is for employment purposes to assist in the running of the School and the Trust and to enable individuals to be paid.

6 This personal data includes identifiers such as names, contact details (including email address and telephone number), date of birth, gender, details of your bank account, information about your marital status, next of kin, dependants and emergency contacts, information about your nationality and entitlement to work in the UK, information about your criminal record, and national insurance numbers, employment contracts and remuneration details, qualifications, details of any disciplinary or grievance procedures in which you have been involved, including warnings, assessments of your performance, training and absence information. It will also include special categories of personal data such as ethnic group, medical information and trade union membership (if you choose to supply this information to us).

7 During the recruitment process we may receive information about you from a previous employer or an educational establishment which you have previously attended. You will know about this because you will have supplied us with the relevant contact details.

8 Collecting and using your information in this way is lawful because:

- The processing is necessary for the performance of your employment contract. The processing is necessary for the performance of a legal obligation to which the Trust is subject, for example our legal duty to check your entitlement to work in the UK and safeguard students and protect them from harm;
- The processing is necessary for the performance of our education function which is a function in the public interest;
- The processing is necessary as the Trust has a legitimate interest in processing personal data in respect of its employment relationship with you.
- Processing allows us to maintain accurate employment records and contact details, run recruitment and promotion processes, operate and keep a record of disciplinary and grievance processes to ensure acceptable conduct in the workplace, operate and keep a record of employee performance and training to plan for career development, succession planning and workforce management, operate and keep a record of leave

(including all types of leave) and absence and absence management procedures to facilitate effective workforce management and ensure that staff are receiving the pay or other benefits to which they are entitled.

- Processing allows us to ensure effective general personnel and business administration; provide references on request for current or former employees; respond to and defend against legal claims; and maintain and promote equality in the workplace.
- Processing allows us to provide best practice in the event of a redundancy situation.

9 We process information about health or medical conditions (a special category of personal data) to carry out our employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes).

10 We obtain occupational health advice to ensure that we comply with our duties in relation to individuals with disabilities, meet our obligations under health and safety law and ensure that staff are receiving the pay and benefits to which they are entitled.

11 We have considered whether or not these legitimate interests are overridden by the rights and interests of members of staff and have concluded that they are not.

12 When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the Trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

13 Under your employment contract you are obliged to provide us with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide us with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

14 Certain information, such as contact details, your right to work in the UK, a criminal record check and bank account details, must be provided to enable us to enter an employment contract with you. If you do not provide other information, this will impede our ability to administer properly the rights and obligations arising out of the work relationship.

How we share your information with third parties

15 We will not share information about you with third parties without your consent unless the law requires us to do so.

16 We are required, by law, to pass on some of the personal data which we collect the Department for Education (DfE). The collection of this information by the DfE will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning

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- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

If you require more information about how the DfE stores and uses your personal data please visit <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

17 We disclose personal data about you to the Disclosure and Barring Service for the purposes of carrying out checks on your suitability for work with children. You will be aware of this when you completed your application for an enhanced DBS certificate. We expect to see your certificate and will keep a record of the certificate number. We will use this number in our annual checks with the DBS Update Service.

18 We disclose details about you including national insurance number and absence information to our payroll provider to enable you to be paid.

19 We disclose details of your salary and expenses entitlements to our payroll provider for the purposes of paying your salary and expenses.

20 We share your identity and pay information with HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions.

21 We share your details with your pension provider in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement. For teachers the scheme is the TPS, for support staff the scheme is LGPS. A member of staff may elect to join another scheme and the necessary personal data will be shared with that scheme. If you require more information about how the LGPS or the TPS store and use your personal data please visit:

- <https://pensions.sutton.gov.uk>
- <https://www.tpsonline.org.uk/>

22 Where you have decided to become part of a salary sacrifice scheme such as that for child care vouchers, we share your details with the provider to the extent necessary for them to provide the vouchers to you.

23 Our disclosures to third parties are lawful because one of the following reasons applies:

- The disclosure is necessary for the performance of your employment contract
- The disclosure is necessary for the performance of a legal obligation to which the Trust is subject, for example our legal duty to safeguard students
- The disclosure is necessary to protect the vital interests of others, i.e. to protect students from harm
- The disclosure is necessary for the performance of our education function which is a function in the public interest.

How long we keep your personal information

24 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. Full details are given in our Data Retention Policy.

Your rights

25 You have the right to:

- Ask for access to your personal information
- Ask for rectification of the information we hold about you
- Ask for the erasure of information about you
- Ask for our processing of your personal information to be restricted
- Data portability
- Withdraw consent at any time where you have consented to the processing of special categories of personal data
- Object to us processing your information.

26 If you want to use your rights, for example, by requesting a copy of the information which we hold about you, please contact the Bursar in the first instance.

27 More information about your rights is available in our Data Privacy Policy which can be found on the School website

28 If at any time you are not happy with how we are processing your personal information then you may raise the issue with the Data Protection Officer and if you are not happy with the outcome you may raise a complaint with the Information Commissioner's Office:

<https://ico.org.uk/concerns/>

0303 123 1113 (local rate) or 01625 545 745 (national rate)

Information Commissioner's Office

Wycliffe House

Water Lane

WILMSLOW

Cheshire SK9 5AF