



THE
**CREATIVE
LEARNING**
PARTNERSHIP TRUST

Privacy Notice for Staff 2022-23

Approved by:

Chair of Trustees
Chief Executive Officer

Date 14th July 2022

Next review due by: July 2023

This privacy notice applies to all school staff within The Creative Learning Partnership Trust:

- **Greenhall School**
- **Hempstalls Primary School**
- **James Bateman Middle School**
- **Langdale Primary School**
- **Manor Hill First School**
- **Parkside Primary School**
- **Thursfield Primary School**

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

We, The Creative Learning Partnership Trust, c/o Hempstalls Primary School, Collard Avenue, Newcastle, Staffs, ST5 9LH, are the 'data controller' for the purposes of data protection law.

Our data protection lead is the Trust's Chief Operating Officer.

The personal data we hold

We process data relating to those we employ, or otherwise engage, to work within our Trust. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers / email address
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including DBS check, 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, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence / maternity data
- Copy of driving licence and vehicle details including insurance certificate
- Photographs
- CCTV footage
- Data about your use of the Trust's information and communications system

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, medication taken and sickness records

Why we use this data

The purpose of processing this data is to help us run the Trust, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies

- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

Our lawful basis for using this data

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)

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.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Trust's use of your data.

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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.

How we store this data

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 *Information and Records Management Society's toolkit for schools*](#).

Data sharing

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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns*
- *The Department for Education – school workforce census*
- *Your family or representatives – in the case of an emergency*
- *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 – for statutory returns*
- *Our auditors – to meet the legal obligations of a multi academy trust*
- *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*
- *Other schools within MAT – if working across schools*

Transferring data internationally

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

Your information rights

You have the following rights in relation to your personal data:

The right of access

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Trust holds about them.

We have to provide a copy of your information to you free of charge, within 1 month. We can extend the deadline if your request is complex. We have to let you know if the deadline is to be extended within 1 month if this is the case.

Information is provided free of charge unless you request further copies of information we have already provided to you. However, we are permitted to charge a reasonable fee or refuse your request if it is manifestly unfounded or excessive. Any fee will be based on the administrative cost of providing the information to you.

The right of rectification

If you feel that any data that we hold about you is factually inaccurate, you have the right to ask us to correct or rectify it. In order for us to review your request you must provide evidence of the alleged inaccuracy.

The right of erasure

You have a right to ask us to erase information about you. This right will only apply where:

- The personal data is no longer necessary for the purpose which we originally collected it for
- We are relying on consent as the lawful basis for holding the data and you withdraw that consent
- We are processing the data for direct marketing purposes and you object to that processing

Most of the processing carried out by the Trust is governed by legislation, which usually includes how long we have to keep your information for. The right of erasure won't apply where we have a lawful reason to process your data and it is kept in accordance with policies in our retention and disposal scheme.

The right to erasure also does not apply to information which is being processed in accordance with a 'public task'. This means where we are carrying out a specific task in the public interest, which is laid down by law or exercising official authority. This includes, for example, information being processed for Educational, Health and Social Care purposes.

Your right of rectification and erasure extends to anyone we have disclosed your personal information to. We will take reasonable steps, where it is practicable for us to do so, to inform organisations with whom we have shared your information that you have made a request for erasure.

The right to restrict processing

You have the right to ask us to restrict processing of your personal data in the following circumstances:

If you contest the accuracy of your personal information and we need to verify its accuracy
 If we have unlawfully processed your information and you do not want us to erase the data
 If we no longer need your information but you need to keep it in order to establish, exercise or defend a legal claim
 You have objected to us processing your information and we are considering whether we have legitimate grounds to continue to process it

This right to restrict processing is closely linked but is distinctly different from the right to rectification and the right to object. As a matter of good practice we may automatically restrict processing of your personal information while we consider its accuracy or the legitimacy of processing it.

The right to data portability

You have a right to receive personal data that you have provided to us in order to transfer it onto another data controller. This right only applies where the processing is based on consent and is carried out by automated means. This is called a data portability request.

The right to object

You have the right to object to our processing your personal information where our lawful basis for processing is based on the performance of a 'public task' carried out in the public interest or exercise of official authority.

You have the right to withdraw your consent to our processing your personal information if our lawful basis for processing is 'consent'.

You also have the right to object to processing for the purpose of direct marketing. You can opt-out of receiving marketing communications from us at any time. You can do this by clicking on the 'unsubscribe' or 'opt-out' link in marketing emails we send to you. If you wish to opt-out of other forms of marketing such as postal or telephone marketing contact us using the addresses or telephone number below.

If we are processing your personal information for scientific or historical research, or statistical purposes your right to object is more limited.

The right of complaint or to raise a concern

You have the right to [raise a concern or make a complaint](#) about how we handle (process) your personal information or if you are not satisfied with how we have dealt with a request.

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.

To make a complaint, please contact the Trust's Chief Operating Officer.

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

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

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, in the first instance, please contact the Trust's Chief Operating Officer.

The Data Protection Officer acting for the Trust is:

Natalie Morrissey
Staffordshire County Council
Staffordshire Place 1
Stafford, Staffordshire
ST16 2DH
Telephone: 01785 278109

Email: dpo@staffordshire.gov.uk

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way we use data in this Trust.