Privacy Notice for Olive Academies Independent School Staff

1. Introduction

Under UK data protection law, individuals have a right to be informed about how the academy 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 academy. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy as soon as reasonably practical.

We will comply with the data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

Olive Academies Trust (Company Number: 08749673), Training & Development Centre, Inskip Drive, Hornchurch, RM11 3UR, is the 'data controller' for the purposes of UK data protection law in respect of individuals employed or engaged to work at Olive Academies Independent School (OA-North View).

Our data protection officer is Kuda Mika (see 'Contact us' below).

2. The personal data we hold

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

- **Personal information** such as name, contact details, date of birth, marital status and gender, next of kin and emergency contact numbers, employee or teacher number, national insurance number, copy of driving license
- **Contract information** such as start date, hours worked, post, roles and salary information, annual leave, pension and benefits information, bank account details, payroll records, National Insurance number and tax status 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
- **Qualifications and employment records**, including work history, performance information, outcomes of any disciplinary and/or grievance procedures, job titles, working hours, training records (including specialised SEMH provisions, safe therapeutic de-escalation, and restrictive physical intervention training), and professional memberships.
- Work absence information such as number of absences and reasons
- Photographs
- CCTV footage
- Data about your use of the School's information and communications system

We may also hold data about you that we have received from other organisations, including other schools and local authorities, and the Disclosure and Barring Service in respect of criminal offence data.

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

3. Why we use this data

We use workforce data 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 equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Make sure our information and communications systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- Ascertain your fitness to work
- Manage sickness absence

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

4. 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:

- **Public Task:** The processing is necessary for us to perform our official functions, maintain public safety, and meet statutory duties placed upon us as an educational provider operating an independent specialist school.
- **Legal Obligation:** The processing is necessary for us to comply with a legal obligation (such as health and safety laws and safeguarding regulations).

- **Consent:** You have given us clear consent to use your personal data in a specific way (e.g., for marketing or specific voluntary access arrangements). You can withdraw this consent at any time.

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)

You may wish to refer to the ICO's guidance on the lawful basis for processing.

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 would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this information

We collect personal information via application forms, personal detail forms, contracts etc.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies

- Police forces, courts, tribunals

6. How we store this data

Personal data is stored in line with our UK data protection and data retention policies.

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.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our data retention policy – this states that the information will be kept for six years after the termination of employment.

7. Who we share data 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 UK data protection law), we may share personal information about you with:

- Our local authority – to meet our legal obligations under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- The Department for Education
- your family and representatives, for example in situations of death in service and a delegated death grant nomination.
- educators and examining bodies, for example in situations of exam misconduct.
- suppliers and service providers – to enable them to provide the service we have contracted them for, such as Data Plan for payroll.
- central government, to provide workforce census data and to carry out enhanced Disclosure and Barring Service checks.
- survey and research organisations, for example the annual survey of hours and earnings which is supplied to the Office of National Statistics.
- auditors, to carry out regular audit checks in order to ensure compliance with the Financial Regulation Handbook.
- health authorities, for example Occupational Health referrals where appropriate.
- security organisations, for safeguarding and fire evacuation purposes where relevant.
- health and social welfare organisations, for any safeguarding purposes.
- professional advisers and consultants, for where individuals have expressed an interest in attending a specific training programme or it is required for their role.
- police force, courts, tribunals to provide data for civil or criminal prosecution

7.1 Transferring data internationally

We may share personal information about you with international third parties such as security organisations, or other schools, where different data protection legislation applies.

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the UK data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

You have a statutory right to raise a data protection complaint directly with OA-North View. If you believe we have processed your data unlawfully or infringed your rights, please contact our Data Protection Officer kuda.mika@oliveacademies.org.uk.

We will formally acknowledge your data protection complaint within five working days of receipt. We will thoroughly investigate the matter and provide you with a full response regarding our decision or the outcome of our investigation without undue delay, and at the latest within one calendar month.

If you remain dissatisfied with our internal response, or if you prefer to bypass this process, you retain your right to lodge a complaint with the UK supervisory authority, the Information Commissioner's Office (ICO).

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

10. Contact us

If you have any questions, concerns, or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

- **Data Protection Officer:** Kuda Mika
- **Email:** kuda.mika@oliveacademies.org.uk
- **Address:** Olive Academies Board of Trustees, Training & Development Centre, Inskip Drive, Hornchurch, RM11 3UR