

**Wellspring Academy Trust
Privacy Notice – Workforce**

1. Scope

- 1.1. Under data protection law, individuals have a right to be informed about how the Trust or its Academies uses any personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data. This privacy notice explains how we collect and use personal data about our workforce, in line with the requirements of GDPR (General Data Protection Regulation).

2. Responsibilities

- 2.1. The Trust Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to Wellspring Academy Trust and its Academies collecting/processing their personal data.
- 2.2. Wellspring Academy Trust and its Academies who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention and where necessary their consent to the processing of their data is secured.
- 2.3. The personal data collected is essential, in order for the Trust and its Academies to fulfil its official functions and meet legal requirements.

3. Privacy Notice

3.1. Who are we?

Wellspring Academy Trust is a Multi Academy Trust that operates across Yorkshire, Humber and Lincolnshire. Our group encompasses provision across Primary, Secondary, Alternative and Special sector areas.

3.2. Key Contact?

Data Protection Officer: Jonny Wathen (CIO)
Email: privacy@wellspringacademies.org.uk
Telephone: 01226 720742

3.3. The categories of personal data that we collect, process, hold and share includes:

- Personal information (such as name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, hours worked, post, roles and salary information)
- Work absence information (such as number of absences and reasons)
- Qualifications (and, where relevant, subjects taught)

Personal data type	Source (where Wellspring Academy Trust and its Academies obtained the personal data from if it has not been collected directly from you, the data subject. Note if the personal data has been accessed from publicly accessible sources):
<ul style="list-style-type: none"> • Contact details • Date of birth, marital status and gender • Next of kin and emergency contact numbers • Salary, 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 an application form and covering letter as part of the application process • Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships • Pension information • Performance information • Outcomes of any disciplinary and/or grievance procedures • Absence data • Copy of driving licence, vehicle details, motor insurance certificate and MOT & tax details • Photographs and biography • CCTV/video footage • Data about your use of the school's information and communications system • References 	<ul style="list-style-type: none"> • Application Form • Equal Opportunities Monitoring Form • Personal Details Form • Contract of Employment and held within the HR & Payroll System • Bank Credit Mandate Form, HMRC, Pre-employment evidence & P45/P46/HMRC • Pre-employment evidence & Application Form • Pre-employment evidence & Application Form • Teachers Pensions or LGPS Provider • Performance Appraisal Form within policy • Letters & documentation on personal file Collated from within the HR & Payroll System and on OHU reports • Available publicly on gov.uk website • Obtained from employee and/or taken whilst in employment • Referees provided by employees
Special categories of sensitive personal data	
<ul style="list-style-type: none"> • Race, gender (including trans-gender), marital status, ethnicity, religious beliefs, sexual orientation, pregnancy, age, disability, • Trade union membership • Health, including any medical conditions, and sickness records • Relevant orders, restrictions or prohibitions or unprotected cautions or convictions (statutory offences) 	<ul style="list-style-type: none"> • Equal Opportunities Monitoring • Payroll System • New Starter Health Questionnaire, External OHU provider, (currently Corazon), previous employer for sickness records • Self Declaration form

3.4. **The personal data we collect will be used for the following purposes:**

- To meet our Statutory and legal duties in accordance with Keeping Children Safe in Education and compliance with the Single Central Record, Ofsted requirements, Home Office (Asylum and Immigration) and DfE.
- To manage HR records
- To manage payroll and pensions
- To manage employment relations
- To provide support, training and development
- To assess the quality of our services
- To keep children safe and protect welfare (emergency contact details)
- To meet the statutory duties placed upon us for DfE data collections
- To carry out research
- To comply with the law regarding data sharing
- To manage compliments and complaints
- Website, news and marketing purposes

3.5. **Data sharing**

We sometimes need to share the personal information we process with the individual themselves, and also with other organisations. Where this is necessary we are required to comply with all aspects of the GDPR. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- Local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- Regulators (such as Ofsted)
- Family, associates and representatives of the person whose personal data we are processing
- Professional advisers
- Current, past or prospective employers
- Educators and examining bodies
- Trade, employer and professional organisations
- Trade unions and staff associations
- Voluntary and charitable organisations
- Healthcare, social and welfare organisations
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Survey and research organisations
- Persons making and enquiry or complaint
- Local and central government
- Security organisations
- Police forces, prison and probation services, courts and tribunals
- Information System Providers (such as Management Information Systems, Virtual Learning Environments and Third Party e-learning Applications, Catering Services Systems).
- Employment, prospective employers or recruitment agencies

We do not share information about our workforce with any third party without consent unless the law and our policies allow us to do so.

3.6. The lawful basis for processing personal data we rely on are:

Wellspring Academy Trust and its Academies only collect and use employee personal data when the law allows. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process employee personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individuals vital interests (or someone else's interests)

Where we have obtained consent to use employee personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

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

3.7. Storage and Retention of Data

Wellspring Academy Trust and its Academies will process personal data for whilst you are an employee and will store the personal data for a number of years. The retention period for different classifications of personal data has been established in line with information management guidelines. Please refer to the Data Protection & Storage Policy for data retention periods.

3.8. Your rights as a data subject

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

- Right of access – you have the right to request a copy of the information that we hold about you.
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that Wellspring Academy Trust or its Academies refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.5 below.

All of the above requests will be forwarded on should there be a third party involved in the processing of your data.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long it will be kept for
- Explain where we got it from, if not you or your child
- Tell you who it has been, or will be, shared with
- Give you a copy of the information in an intelligible form
- Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

3.9. Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights please contact our Data Protection Officer.

3.10. Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Wellspring Academy Trust and its Academies or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and Wellspring Academy Trust and its Academies data protection representatives Data Protection Officer.

The details for each of these contacts are:

	Supervisory authority contact details	DPO contact details
Contact Name:	https://ico.org.uk/concerns	Jonny Wathen
Address line 1:		Wellspring Academy Trust
Address line 2:		Digital Media Centre
Address line 3:		County Way
Address line 4:		Barnsley
Address line 5:		S70 2JW
Email:		privacy@wellspringacademies.org.uk
Telephone:	0303 123 1113	01226 720742