

Privacy Notice

Colleagues and Volunteers 2021



Data Controller: Red Kite Learning Trust is the data controller for your school or department. Red Kite Learning Trust can be contacted at: Arthurs Ave, Harrogate HG2 0DZ Tel: 01423 535203

Data Protection Officer: Judicium Consulting Limited. If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please email dataservices@judicium.com or thompsonj@rklit.co.uk. The DPO role is to oversee and monitor the organisation's data protection procedures, and to implement external audit processes to ensure they are compliant with the General Data Protection Regulations (GDP).

The organisation collects and processes personal data relating to its workers to manage its relationship with them. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. Individuals have a right to be informed about how the schools/Trust use any personal data that we hold about them. This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our schools/Trust or individuals who apply to work in our schools/Trust.

The personal data we hold

We collect and process a range of information about you. This includes:

- Personal information such as name, date of birth, address, contact details, teacher number (where appropriate), bank account details and national insurance number
- The terms and conditions of your engagement
- Details of your qualifications, skills, experience and career history, including start and end dates, with previous employers and with the organisation
- Information about your remuneration, including entitlement to benefits such as pensions and statutory deductions e.g. CCJ
- Information about your gender, ethnic group, marital status, next of kin, dependants and emergency contacts
- Information about your identity, nationality and entitlement to work in the UK including copies of relevant documentation
- References received as part of the recruitment process or for other reasons, and those provided to other organisations
- Information about any criminal record, including allegations of criminal offences and other Safer Recruitment checks as appropriate
- Details of your schedule (days of work, hours of work and details of any days that you are generally not available for work) and attendance at work
- Details of periods of absence (such as holiday, sickness etc.) taken by you, and the reasons for the leave
- Information about medical or health conditions including whether you have a disability for which the organisation needs to make reasonable adjustments
- Information about performance management and professional development including training records and performance information
- Outcomes of any disciplinary and/or grievance procedures
- Photographs and CCTV footage
- Data about your use of the schools/Trust's information and communications system

As referred to above and clarified here, Under Article 9 of the GDPR, 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 (through the collection of subscriptions)
- Health, including any medical/disabilities information, and sickness records

We collect most of your personal data from you directly in a variety of ways. For example, application forms, identity documents shared, forms completed by you at the start of or during your engagement, from correspondence with you, or through interviews, meetings or other assessments.

We may also collect personal data about you from third parties, such as information from background check providers and from criminal records checks permitted by law.

Why we use this data

The organisation needs to process data to enter a worker engagement with you and to meet our obligations under that engagement. For example, it needs to process your data to provide you with your statement of particulars and to pay you in accordance with those terms.

The organisation is also required to process data to ensure it is complying with its legal obligations. For example, it is required to check a worker's right to work in the UK in accordance with government guidance, deduct tax, comply with health and safety laws, to auto enrol workers in pension schemes and to enable workers to take holidays. It is also necessary to carry out criminal records checks and other checks to ensure our obligations to ensure safer recruitment are met.

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

- Offer you work including meeting our safeguarding obligations towards pupils by undertaking the appropriate safer recruitment checks
- Maintain accurate and up-to-date HR records and contact details (including details of who to contact in an emergency) and records of workers' contractual and statutory rights
- Ensure acceptable conduct in the workplace and to support effective performance management
- Allow for succession planning, workforce management, financial modelling and planning
- Keep a record of absence to allow effective workforce management and ensure that workers are paid according to their entitlements
- Obtain occupational health advice in order to ensure the organisation complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that workers are receiving the pay or other benefits to which they are entitled
- Operate and keep a record of working hours and holiday to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement including ensuring pay and benefits are correct
- Ensure effective general HR and business administration
- Allow for monitoring of protected characteristics
- To support development of policies and procedures as well as monitoring new initiatives and assessing the quality of our services
- Manage our extra-curricular activities safely
- To provide services to staff including cash free catering for example
- To manage and protect public monies effectively
- To assess the quality of our services
- To comply with the law regarding education

Some special categories of personal data, such as information about health or medical conditions, racial or ethnic origin or criminal records data are processed in order to meet employment law obligations (such as those in relation to workers with disabilities and for health and safety purposes and to ensure that workers are suitable to be offered work and have the right to work in the UK).

Information about trade union membership is processed to allow the organisation to operate union subscriptions. This is done with your explicit consent which can be withdrawn at any time.

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

How we store this data

Data may be stored in a range of different places, depending on the purpose, including in your personnel file, within our HR and payroll system, within your school management information system (where relevant) and in other IT systems such as email.

Once your engagement with us has ended, we will retain this file and delete the information in it in accordance with our Data Protection Policy and Retention Policy. A copy of this and all (public) Trust policies can be found on the Red Kite Learning Trust website. Paper copies can be requested from the Data Protection Officer.

We keep personal data secure and strive to prevent data from being accidentally lost, or used or accessed unlawfully. We follow strict procedures as to how your personal information is processed, to prevent any unauthorised person obtaining access to it. Those processing your information within our organisation and on our behalf, will do so only in an authorised manner and are subject to a duty of confidentiality.

Data sharing

Your information will be shared internally with members of the HR and payroll team. Some data will be shared with managers within your school/Trust central team (depending on your role), the finance department and the IT department if access to the data is necessary for the performance of their roles.

The organisation shares your data with third parties in order to obtain background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service or report suspected offences to the appropriate authorities.

The organisation also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of pension benefits and the provision of occupational health services. We are required, by law, to pass on some of this personal data to; HMRC, the Local Government or Teachers Pension Scheme administrators. We also share personal data with the Department for Education (DfE) and our local authorities (LAs) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school/Trust funding / expenditure and the assessment of educational attainment. The organisation will not share information about you with third parties without your consent unless the law allows us to.

In some cases, your data will be outsourced to a third-party processor who provides a service to us. Where we share information about you with any third party, for example: data entered onto our management information systems and our HR and payroll system, the same data protection standards that the organisation upholds are imposed on the processor. We will check organisations comply with GDPR strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

We will not, without your express consent, provide your personal information to any third parties for the purpose of direct marketing.

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

Your rights

How to access personal information we hold about you

As a data subject, you have several rights. You can:

- Access and obtain a copy of your data on request
- Require the organisation to change incorrect or incomplete data
- Require the organisation to delete or stop processing your data, for example, where the data is no longer necessary for the purposes of processing
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing
- Ask for the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether your interests override the organisation's legitimate grounds for processing data

If you would like to make a request, please contact our data protection officer.

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 our data protection 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

You may also wish to refer to our whistleblowing policy which is available on Trust website. Please click [here](#) to access the policy.

Privacy Policy Changes

Although most changes are likely to be minor, Red Kite Learning Trust may change its privacy policy from time to time, and in Red Kite Learning Trust's sole discretion.

A copy of the current Data Protection Policy is available on the Trust website by clicking [here](#).