

# Privacy Notice

## (How we use employee information)



## Policy Review Schedule

<b>Policy</b>	OLT Privacy Notice (Employees)
<b>Review schedule</b>	Every 2 years (or when legislative change takes place)
<b>Statutory Policy</b>	Yes
<b>Policy owner</b>	CEO
<b>Lead Reviewer</b>	HOO (external review needed if change in legislation)
<b>Approver and date of last approval</b>	CEO, 19 <sup>th</sup> June 2026
<b>Key review dates</b>	<b>Changes made</b>
Written April 2018	Written
Reviewed April 2021	Added reference to UK GDPR legislation
Reviewed September 2022	New model document issued by DfE
Reviewed November 2022	Section on social media searches for shortlisted candidates added
Reviewed April 2024	Reference to Access Group added (payroll)
Reviewed June 2024	Reference to KCSIE web filtering and monitoring added. Reference to Arbor added (MIS system)
June 2026	Reviewed and updated for compliance and reference to latest legislative framework. Added details of procedure for complaints about data protection and personal data
Next review due: June 2028	

### Why do we collect and use employee information? (Lawful basis for processing)

Under the UK General Data Protection Regulation (UK GDPR), the legal basis/bases we rely on for processing personal information for general purposes are:

Under Article 6(1)(b) UK GDPR which states 'Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract' and Article 9(2)(b) 'The processing is necessary in the context of employment law, or laws relating to social security and social protection'.

In addition to this, we may process personal information where processing is necessary for compliance with a legal obligation, and where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; where we process special category data, we do so for employment-related purposes and, where applicable, for

safeguarding. The lawful basis for safeguarding-related processing is a public task duty for the safeguarding of children, and we only rely on consent where it is appropriate and you have a genuine choice.

We may carry out an online search (for example, using a search engine) for short-listed interview candidates prior to interview to identify publicly available information that may be relevant to the role and safeguarding. The processing of this data will be conducted under the legal basis of public task in line with current Keeping Children Safe in Education (KCSIE) guidance, and any information retained will be kept in line with our retention schedule.

We use employee data:

- To carry out required legal background checks (DBS).
- To ensure employees receive their salary and pension contributions.
- To monitor and review performance.
- To ensure employees have a right to work in the UK.
- To monitor sickness and absence levels.
- To monitor use of Trust issued IT equipment (including phones, laptops and iPads) in a proportionate way (for example, web traffic and security alerts) to help maintain system security and to support safeguarding and compliance with DfE filtering and monitoring expectations (KCSIE).
- Improving the management of school workforce data across the sector.
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up.
- Informing the development of recruitment and retention policies.
- Allowing better financial modelling and planning.
- Enabling ethnicity and disability monitoring.
- Supporting the work of the Pay Review Panel.

**The categories of employee information that we collect, hold and share include:**

- Personal information (such as name and address, employee or teacher number).
- Financial information (such as bank account data, National Insurance number, tax code).
- Characteristics (such as ethnicity, language, nationality, country of birth).
- Contract information (such as start date, hours worked, post, roles and salary information).
- Sickness and absence information (such as number of absences and reasons).
- Relevant medical information.
- Qualifications.
- Web usage (on Trust IT devices).

### **Collecting employee information**

Workforce data is essential for the School/Trust's operational use. Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

### **Storing data**

We hold data securely in line with the IRMS data retention guidance and our Trust retention schedule (available on the Trust website [www.omnialearningtrust.org](http://www.omnialearningtrust.org) and in Parago), which sets out how long different types of workforce records are kept and the criteria used to decide those periods.

### **Who do we share employee information with?**

Some of these organisations will act as separate data controllers (for example, pension administrators and the DfE) and some will act as our data processors (for example, payroll and ICT suppliers) and will only process personal data on our instructions.

- Pensions authorities – TPS, LGPS, People’s Pension.
- Payroll company – Dataplan, Strictly Education and Access Education .
- The Department for Education (DfE).
- Governors and trustees of the Omnia Learning Trust.
- Some of our suppliers may host data or provide support that involves access to information from outside the UK; where this happens we ensure appropriate safeguards are in place.
- Accountants – Edufin.
- Auditors – UHY and Kreston Reeves.
- School safeguarding teams (including the Designated Safeguarding Lead).

### **Why we share employee information**

We share information about our employees where it is lawful and necessary to do so, for example to meet our legal obligations, to administer employment and pensions, and to support safeguarding and welfare.

We are required to share information about our school employees with the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments. This data sharing underpins school workforce monitoring and is used for the following purposes:

- To inform the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workplace.
- Link to school funding and expenditure.
- Support “longer term” research and monitoring of educational policy.

### **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls which meet current government security policy framework.

### **Sharing by the DfE**

The Department for Education (DfE) may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The Department for Education has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether the DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data

- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

To contact the department: <https://www.gov.uk/contact-dfe>

### **Requesting access to your personal data – held by the school**

Under data protection legislation, employees have the right to request access to information about them that we hold. To make a request for your personal information contact Sarah Bellingham, Data Protection Officer. We will respond within one month and, where requests are complex or numerous, this period can be extended; requesting during term time may help us respond promptly but does not change the legal timescales.

You also have the right to:

- To ask us for access to information about you that we hold.
- To have your personal data rectified, if it is inaccurate or incomplete.
- To request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- To restrict our processing of your personal data (i.e. permitting its storage but no further processing).
- To object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- To object to processing in certain circumstances (for example, where we rely on public task).
- To request that personal data you have provided to us is transferred to another organisation, where this applies.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance by following the complaints procedure below, or you can raise this directly with the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Requesting access to your personal data – held by the DfE**

Under the terms of the Data Protection Act 2018, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>

### **Withdrawal of consent**

Where we are processing your personal data with your consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before you withdrew it, and we may still need to process some information where another lawful basis applies; if you have concerns, please contact Sarah Bellingham (Data Protection Officer).

### **Complaints related to personal data or data protection**

The Trust takes the protection of personal data seriously and is committed to complying with UK data protection legislation. Individuals who have concerns about the way the Trust has collected, used, shared, retained or otherwise processed their personal information may raise those concerns in line with the procedure set out below. The same procedure is also set out in the OLT Data Protection Policy and the OLT Complaints Policy.

Examples of data protection concerns may include, but are not limited to:

- The accuracy of personal information held by the Trust;
- The disclosure of personal information to another person or organisation;
- The security of personal information;
- Delays or concerns relating to the handling of information rights requests;
- Concerns regarding the lawful basis for processing personal information;
- The retention or deletion of personal information.

Where a complaint relates wholly or partly to data protection matters, the complaint may be referred to the Trust's Data Protection Officer (DPO) or another appropriately authorised officer to assist with the investigation and response. The Trust will investigate data protection complaints in accordance with the timescales set out below, and will seek to resolve concerns at the earliest opportunity.

<b>Requirement</b>	<b>Omnia approach</b>
How to complain	Directly to DPO email, via <a href="mailto:admin@omnialearningtrust.org">admin@omnialearningtrust.org</a>
Acknowledgement	Within 30 calendar days
Investigation	By DPO and/or appropriate senior leader
Outcome	Written response explaining findings and actions
Escalation	To ICO (details provided in outcome letter and below)

Where a complainant remains dissatisfied following completion of the Trust's complaints procedure, they may refer the matter to the Information Commissioner's Office (ICO), the UK's independent authority for data protection matters.

[Information Commissioner's Office \(ICO\)](https://www.ico.org.uk)

Website: [www.ico.org.uk](http://www.ico.org.uk)

Telephone: 0303 123 1113

Nothing in this procedure affects an individual's statutory rights under data protection legislation or their right to raise concerns directly with the ICO at any time.

**Contact:**

Omnia Learning Trust is the data controller for personal data processed about staff for the purposes described in this notice; Trust contact details (including the postal address) are published on the Trust website [www.omnialearningtrust.org](http://www.omnialearningtrust.org).

- Sarah Bellingham, Data Protection Officer, [admin@omnialearningtrust.org](mailto:admin@omnialearningtrust.org)