**Employee Privacy notice**

**Introduction**

The Oxford Diocesan Schools Trust (ODST) has a number of obligations under the General Data Protection Regulation (GDPR). This privacy notice sets out the types of data we hold on you as an employee of ODST and how we use and store that information.

**Data Controller Details**

ODST is the data controller for all its member schools.

Our postal address is Church House (Oxford), Langford Locks, Kidlington, Oxford, OX5 1GF.

The Data Protection Officer for ODST is Mike Bingham. He can be contacted on 01865 208289 or dpo.odst@oxford.anglican.org .

**Data Protection Principles**

In relation to your personal data, we will:

* process it fairly, lawfully and in a clear, transparent way;
* collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you;
* only use it in the way that we have told you about;
* ensure it is correct and up to date;
* keep your data for only as long as we need it;
* process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

**Types of data we process**

We process personal data for employment purposes to assist in the running of ODST and to enable individuals to be paid.

This personal data includes identifiers such as:

* personal information (such as name, employee or teacher number, national insurance number);
* It will also include sensitive personal data such as ethnic group, medical information and trade union membership (if you choose to supply this information to us);
* contractual information (such as start dates, hours worked, post, roles and salary information);
* work absence information (such as number of absences and reasons);
* qualifications and training records;
* documentation relating to your right to work in the UK.

We collect data about you in a variety of ways and this will usually start during a recruitment exercise, such as an application form completed by you and interview notes made on behalf of ODST. In some cases, we may also collect data from third parties such as when taking up references from former employers. Personal data is kept in personnel files or within ODST’s HR and IT systems.

**Why we process your data**

The law on data protection allows us to process your data for certain reasons only:

* in order to perform the employment contract that we are party to;
* in order to carry out legally required duties;
* in order for us to carry out our legitimate interests;
* to protect your interests; and
* where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

By way of example, the personal data that is provided by you, or requested from you, during a recruitment process will enable us to perform the employment contract that we are party to (e.g. pay you), carry out our legally required duties (e.g. ensure you have the right to work in the UK) and carry out our legitimate interests (e.g. ensure that in line with safeguarding procedures the appropriate checks have been made before you commence employment with us). Any data that is collected to adhere to the various safeguarding requirements in schools also has a pupil, and public, interest angle.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you to provide it, and whether there is a legal requirement on the Trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

**How we share your information with third parties**

We will not share information about you with third parties without your consent unless the law allows us to.

We are required, by law, to pass on some of the personal data which we collect to:

* The relevant local Council in the areas we operate;
* the Department for Education (DfE).

The collection of this information will benefit both national and local users for example by:

* improving the management of workforce data across the sector;
* enabling development of a comprehensive picture of the workforce and how it is deployed;
* informing the development of recruitment and retention policies;
* supporting the work of Teachers’ Review Bodies.

If you require more information about how the local authority and / or DfE store and use your personal data please visit:

* <https://www2.oxfordshire.gov.uk/cms/public-site/access-data-and-information>
* <https://www3.rbwm.gov.uk/info/200413/freedom_of_information/939/access_to_information/1>
* <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Other organizations with whom we may share your personal data include:

* The Disclosure and Barring Service for the purposes of carrying out checks on your suitability for work with children;
* Our payroll provider- e.g. national insurance number and bank account details- to enable you to be paid;
* HMRC in conjunction with your legal obligation to pay income tax and make national insurance contributions;
* A child-care voucher provider where you have decided to become part of that scheme so that they can provide the vouchers to you;
* A pension provider, such as Teachers’ Pensions or the Local Government Pension Scheme in order to make sure that you pay the correct amount and maintain your entitlement to a pension upon your retirement.

Our disclosures to third parties are lawful because one of the following reasons applies:

* The disclosure is necessary for the performance of your employment contract;
* The disclosure is necessary for the performance of a legal obligation to which ODST is subject, for example our legal duty to safeguard pupils;
* The disclosure is necessary to protect the vital interests of others, i.e. to protect pupils from harm;
* The disclosure is necessary for the performance of our education function which is a function in the public interest.

We do not share your data with bodies outside of the European Economic Area.

**How long we keep your personal information**

We only keep your information for as long as we need it or for as long as we are required by law to keep it. This will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Retention periods can vary depending on why we need your data and ODST will comply with retention guidelines issued by the [Information Commissioner’s Office](https://ico.org.uk/for-organisations/guide-to-data-protection/principle-5-retention/). By way of example HR data will be retained for a minimum of 6 years after the end of your employment with us.

**Your rights**

You have the right to:

* Ask for access to your personal information;
* Ask for rectification of the information we hold about you;
* Ask for the erasure of information about you;
* Ask for our processing of your personal information to be restricted;
* Data portability;
* Object to us processing your information.

If you want to use your rights, for example, by requesting a copy of the information which we hold about you, please refer to the Subject Access procedure which can be found in our Data Protection Policy on our [website](http://www.odst.org.uk/policies).

More information about your rights is available in our Data Protection Policy.

**The right to withdraw consent**

Whilst you have the right to withdraw consent at any time, as one of the key reasons for processing your data is to allow us to carry out our duties in line with your contract of employment, if you do not provide us with the data needed to do this, we may not be able to carry out those duties- e.g. ensuring you are paid correctly. Similarly, we may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with information confirming your right to work in the UK.

**Covid 19 and Test and Trace**

**Message relates to Government guidance as at 22 September 2020**

In the unlikely event that there is a case of Covid-19 in the school and, alongside our protocols for dealing with such an event, there may be the possibility that we will be expected to provide **limited contact information** about individuals to the NHS Test and Trace programme. This may include your details, subject to the circumstances at the time. As a public body, we have a duty to co-operate with the Government's public health strategy for containing Covid-19, a central part of which is the NHS Test and Trace programme. As a result, we have a lawful basis for sharing your details under the GDPR regulations as part of our "public task". The regulations say that we can do this **where it** ‘is necessary for the performance of a task carried out in the public interest’ (6.1.e) and ‘processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare’ (9.2.i). So, we do not require your positive consent to share your contact information with NHS Test and Trace.

However, you retain the right to **object to our sharing** your (or your child's) details with the programme. This is not an absolute right, and, if you do object, we will have to balance the reasons you have given against our compliance with our public duty. If you do want to object, **please advise us as soon as possible, giving reasons,** so that we can manage your personal data responsibly.

If at any time you are not happy with how we are processing your personal information then you may raise the issue with the ODST Data Protection Officer (contact details can be found at the beginning of this privacy notice). If you are not happy with the outcome you may raise a complaint with the Information Commissioner’s Office:

*Information Commissioner's Office*

*Wycliffe House*

*Water Lane*

*Wilmslow*

*Cheshire*

*SK9 5AF*

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

**Updates to the ODST Privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**Declaration**

I have read the above privacy notice and understand the rights of ODST and my own rights under the GDPR.

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| **Name of employee:**  |  |
| **Signature:** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |
| **Date:** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |