



EMMANUEL SCHOOLS FOUNDATION

DATA PROTECTION - PRIVACY NOTICE FOR EMPLOYEES AND WORKFORCE

Data Controller: Emmanuel Schools Foundation, Trinity House, Sixth Avenue, Blyth, NE24 2SY

Data Protection Officer: Christine Taylor, ESF, Trinity House, Sixth Avenue, Blyth, NE24 2SY

Emmanuel Schools Foundation (the “Foundation”) collects and processes personal data relating to its employees and workforce to manage the employment relationship. The Foundation is committed to being transparent about how it collects and uses that data, and to meeting its data protection obligations.

WHAT INFORMATION DOES THE FOUNDATION COLLECT?

The Foundation collects and processes a range of information about you this includes:

- Your name, address and contact details including email and telephone number;
- Your date of birth and gender;
- The terms and conditions of your employment;
- Details of your qualifications, skills, experience, and employment history (including start and end dates) with previous employers and with the Foundation;
- Information about your remuneration, including entitlements to benefits such as pensions;
- Details of your bank account and your national insurance number;
- Information about your marital status, next of kin, dependents and emergency contacts;
- Information about your nationality and your right to work in the UK;
- Information about your criminal record;
- Details of your schedule (days of work and working hours) and your attendance at work;
- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals and the reasons for the leave;
- Details of any disciplinary or grievance procedures in which you have been involved including any warnings issued to you and related correspondence;
- Assessments of your performance, including appraisals, performance reviews and ratings performance improvement plans and related correspondence;
- Information about medical or health conditions including whether or not you have a disability for which the Foundation needs to make reasonable adjustments; and
- Equal opportunities, monitoring information, including information about your ethnic origin, sexual orientation and religion or belief.

The Foundation may collect this information in a variety of ways. For example data is collected through application forms, CVs or resumes; information obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of, or during your employment (such as benefit nomination forms, DBS); from correspondence with you; or through meetings, interviews or other assessments, and staff training.

In some cases, the Foundation may collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

We also capture personal information from our use of CCTV in our schools.

Data will be stored in a range of different places including in your personnel file, in the Foundation's HR Management systems and in other IT systems (including the Foundation's email system).

WHY DOES THE FOUNDATION PROCESS PERSONNEL DATA?

The Foundation needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your contract and to administer benefit and pension entitlements.

In some cases, the Foundation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employees entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

In other cases, the Foundation has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing personal data allows the Foundation to:

- Run recruitment and promotion processes;
- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the case of an emergency) and records of employee's contractual and statutory rights;
- Operate and keep a record of disciplinary and grievance processes to ensure acceptable conduct within the workplace;
- Operate and keep a record of employee performance and related processes to plan for career development and for succession planning and for workforce management purposes;
- Operate and keep a record of absence and absence management procedures to allow effective workforce management and to ensure that employees receive pay or other benefits to which they are entitled;
- Obtain occupational health advice, to ensure that it complies with its duties in relation to individuals with disabilities, to meet its obligations under health and safety law and to ensure that employees are receiving pay or other benefits to which they are entitled;
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave) to allow for effective workforce management to ensure that the Foundation complies with its duties in relation to leave entitlement and to ensure that the employees are receiving the pay or other benefits to which they are entitled;
- Ensure effective general HR and business administration;
- Provide references on request for current or former employees;

- Respond to and defend against legal claims; and
- Share information with the DfE for the Workforce Census

Some special categories of personal data, such as information about health or medical conditions are processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where the Foundation processes personal data captured from CCTV this is for the purposes of safeguarding; for the prevention and detection of crime, and to prevent and detect unlawful acts such as harassment.

Where the Foundation processes other special categories of personal data such as information about ethnic origin, sexual orientation, or religion or belief this is for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment and, in particular, under sections 113 and 114 of the Education Act 2005.

WHO HAS ACCESS TO DATA?

Your information may be shared internally, including with members of the HR and the recruitment team (including payroll), your line manager, managers in the business area in which you work and IT staff all of whom have access to your data which is necessary for the performance of their roles.

The Foundation shares your data with third parties in order to obtain pre-employment references from other employers, and obtain necessary criminal records checks from the Disclosure and Barring Service. The Foundation may also share your data with third parties in the context of a sale/transfer of some or all of its business and in those circumstances the data will be subject to confidentiality arrangements.

The Foundation also shares your data with third parties that process data on its behalf in connection with payroll, the provision of benefits and the provision of occupational health services. For example, we share information with the Local Government and Teachers' Pension Schemes for the provision of an occupational pension scheme; we share information with providers of occupational health services in the event that we require occupational health advice in relation to your employment; we share information with your bank so that you are paid.

The Foundation will not transfer your data to countries outside the European Economic Area.

HOW DOES THE FOUNDATION PROTECT DATA?

The Foundation takes the security of your data seriously. The Foundation has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees in the proper performance of their duties.

For example, HR and payroll systems are accessible only to authorised personnel and access is password protected; CCTV images may only be accessed by authorised persons in specified circumstances; and paper records are kept secure in locked cabinets and are accessible only by authorised personnel. IT systems are only accessible by authorised personnel and require a network username and password.

Where the Foundation engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

FOR HOW LONG DOES THE FOUNDATION KEEP DATA?

The Foundation will hold your data for the duration of your employment. After the end of your employment the periods for which your data is held are set in The Records Management and Retention Policy and Schedule which can be found [here](#)

YOUR RIGHTS

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

- Access and obtain a copy of your data on request;
- Require the Foundation to change incorrect or incomplete data;
- Require the Foundation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of the processing; and
- Object to the processing of your data where the Foundation is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights please contact an Employee Data Champion for your School or the Data Protection Officer ctaylor@esf-mail.org.uk

If you believe the Foundation has not complied with your data protection rights, you may write to the Information Commissioner.

WHAT IF YOU DO NOT PROVIDE PERSONAL DATA?

You have some obligations under your contract of employment to provide the Foundation with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary matters under the implied duty of good faith. You may also have to provide the Foundation with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Foundation to enter a contract of employment with you.

If you do not provide other information when requested to do so, this will hinder the Foundation's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

AUTOMATED DECISION MAKING

Employment decisions are not based solely on automated decision making.

Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer, Christine Taylor at ctaylor@esf-mail.org.uk

Should you require any further information the GDPR principles and a explanation of your rights can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>