



September 2023

Moorlands Learning Trust

Privacy Notice for the School Workforce: those employed to teach, or otherwise engaged to work at, our schools including job applicants

This notice applies to all schools within the Moorlands Learning Trust (MLT). During our relationship with you, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their “personal data”. This will include data that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold your personal data for a period of time after your relationship with MLT has ended.

This document explains what personal data we hold about you, how and why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

MLT aims to ensure that all personal data collected about staff, students, parents, governors, visitors, job applicants and other individuals is collected, stored and processed in accordance with the Data Protection Act 2018 and other applicable Data Protection Legislation. A separate Pupil Privacy Policy and Parents/Carers Privacy Policy are available on our website.

Who collects your information and why

MLT is a data controller and collects and processes personal data relating to those we employ to work for MLT, job applicants for roles with MLT or those otherwise contracted to work for us.

Our contact details are:

Data Protection Officer (our current DPO is Judicium Consulting Ltd)

Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB

Email: dataservices@judicium.com

How we collect personal data

Schedule 1 in this document details the personal data we collect and process, the source of that data and the lawful basis for processing the data.

We may collect personal data from you, your personnel records, the Department for Education, pension administrators, your doctors, from medical and occupational health professionals we engage and from our insurance benefit administrators, your trade union, other employees, consultants and other professionals we may engage, eg to advise us generally and/or in relation to any grievance, conduct appraisal or performance review procedure, automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, remote access systems, email and instant messaging systems, intranet and Internet facilities, telephones, voicemail, mobile phone records, relevant websites and applications.

Why we collect personal data and what we do with it

Schedule 1 in this document details the personal data we collect and process, the source of that data and the lawful basis for processing the data.

We process personal data for employment purposes to assist in the running of our schools and to enable individuals to be paid. The collection of this information benefits both national and local users 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
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring
- supporting the work of the School Teachers' Review Body

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

We may also collect, store and use information about you that falls into 'special categories' or more sensitive personal data. This includes information about (where applicable): race, ethnicity, religious beliefs, sexual orientation, political opinions, trade union membership, health, including any medical conditions, and sickness records.

If staff members fail to provide their personal data, there may be significant consequences, including the failure to pay salaries and failure to meet legal compliance. Staff members' personal data is only sought from the data subject. No third parties will be contacted to obtain staff members' personal data without the data subject's consent unless the law requires the school to do so.

In accordance with the above, staff members' personal data is used for the following reasons:

- it is necessary for the performance of our contract with you, for example to ensure that you are paid, or to take steps to enter into a contract.
- it is necessary for us to comply with our legal obligations, such as carrying out employment checks, e.g. right to work in the UK.
- it is necessary for our legitimate interests, for example to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, for workforce planning and for HR administration and processes.

Schedule 1 below sets out the lawful basis relied on for each type of processing we carry out.

How we may share your personal data

We may share information about you with third parties. For example, we are required, by law, to pass on some of your personal data to:

- Local authority (LA)

We are required to share information about our workforce members with the local authority in the areas MLT operates under section 5 of the Education (Supply of Information about School Workforce) (England) Regulations 2007 and amendments.

- Department for Education (DfE)

We share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding/expenditure and the assessment educational attainment.

We are required to share information about our school employees with the DfE under section 5 of the Education (Supply of Information about School Workforce) (England) Regulations 2007 and amendments.

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

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

The department 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 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 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 school 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.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Where necessary, third parties may be responsible for processing staff members' personal information, such as our pension providers (West Yorkshire Pension Fund and Teachers' Pensions), Vacancy Filler our recruitment provider, BlueSky our appraisal software provider and our NQT assessment provider. Where this is required, MLT places data protection requirements on those third party processors to ensure data is processed in line with staff members' privacy rights.

How long your personal data is retained

As set out in the Trust [Data Protection](#) and [Records Management](#) Policies, we will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. MLT Records Management Policy sets out the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements, including the Records Management standards.

Your rights in relation to your data

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Those rights are listed below. Please contact us if you would like to exercise any of them. You have the right to:

- **Request access** to your personal data (a "data subject access request"). This means you can receive a copy of the personal data we hold about you and to check that we are lawfully processing it
- **Request correction** of your personal data: This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us

- **Request erasure of your personal data.** You can ask us to remove personal data where there is no good reason for us continuing to process it. You also have this right where you have successfully exercised your right to object to processing, where we may have processed your data unlawfully or where we are required to erase your personal data to comply with law. We may not always be able to comply with your request where there are particular legal reasons
- **Object to processing** of your personal data where we rely on a legitimate interest basis and if the processing impacts on your fundamental rights and freedoms. You can also object to direct marketing. In some cases, we may demonstrate that we have grounds to process your data which override your rights and freedoms
- **Request restriction of processing.** You can ask us to suspend the processing of your personal data: if you want us to establish the data's accuracy; where our data use is unlawful but you do not want us to erase it; where you need us to hold the data even if we no longer need it, to establish, exercise or defend legal claims; or you have objected to use of data but we need to verify whether we have overriding legitimate grounds to use it
- **Request a data transfer.** We will provide to you, or your chosen third party, your personal data in a structured, commonly used, machine-readable format. This only applies to automated information which you provided consent for us to use or necessary to perform a contract with you
- **Withdraw consent at any time** where we rely on consent to process your personal data. This will not affect the lawfulness of processing carried out prior to withdrawing consent

If you have any questions or require further information about this privacy notice, including any requests to exercise your data privacy rights, please address your query in writing to:

Data Protection Officer (our current DPO is Judicium Consulting Ltd)

Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB

Email: dataservices@judicium.com

Staff members and job applicants also have the right to lodge a complaint with the Information Commissioner's Office (ICO) which is the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, like the opportunity to assist you with any concerns before you approach the ICO so please contact us in the first instance using the details above.

If you require further information about how the DfE store and use your personal data, please visit <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.

Schedule 1
About the information we collect and hold

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
Your name, contact details (ie address, home and mobile phone numbers, email address) and emergency contacts (ie name, relationship and home and mobile phone numbers)	From you	To enter into/perform the employment contract Legitimate interest: to maintain employment records and good employment practice	To enter into/perform the employment contract
Details of salary and benefits, bank/building society, National Insurance and tax information, your age	From you	To perform the employment contract including payment of salary and benefits Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice	To ensure you receive the correct pay and benefits Information shared with payroll and with HM Revenue & Customs (HMRC)
Details of your spouse/partner and any dependants	From you	To perform the employment contract including employment-related benefits, eg pension To comply with legitimate interest should there be an emergency situation in school	To ensure you receive the correct pay and benefits Information shared with our payroll and with HM Revenue & Customs (HMRC)
Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information <input type="checkbox"/>	From you and, where necessary, the Home Office	To enter into/perform the employment contract To comply with our legal obligations Legitimate interest: to maintain employment records	To carry out right to work checks Information may be shared with the Home Office

Information relating to your application including interview notes, CV, application form and a copy of any offer letter and any references supplied to us . <input type="checkbox"/>	From you and those conducting the recruitment process	To enter into/perform the employment contract To comply with our legal obligations Legitimate interest: to maintain employment records	To enter into/perform the employment contract and comply with our legal obligations
A copy of your driving licence <input type="checkbox"/>	From you	To perform the employment contract To comply with our legal obligations To comply with the terms of our insurance for mini bus drivers	To ensure that you have a clean driving license where driving is a requirement of the post Information may be shared with our insurer
Details of your pension arrangements, and all information included in these and necessary to implement and administer them <input type="checkbox"/>	From you and from our pension administrators, West and North Yorkshire Pension Funds and Teachers' Pensions	To perform the employment contract including employment-related benefits To comply with our legal obligations Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice	To administer your pension benefits To comply with our auto-enrolment pension obligations Information shared with our pension administrators West Yorkshire Pension Fund and Teachers' Pensions and with HMRC
Information in your sickness and absence records (including sensitive personal information regarding your physical and/or mental health) <input type="checkbox"/>	From you, from your doctors, and from medical and occupational health professionals we engage	To perform the employment contract including employment-related benefits To comply with our legal obligations Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices	To maintain employment records, to administer sick pay entitlement, to follow our policies and to facilitate employment-related health and sickness benefits To comply with our legal obligations to you as your employer Information shared with your doctors, with medical and

			occupational health professionals we engage
Staff training records and appropriate certificates <input type="checkbox"/>	From you or any training provider we may use	<p>To perform the employment contract including employment-related benefits</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices</p>	To comply with our regulatory obligations to ensure staff are appropriately qualified and trained
Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs	From you	To comply with our legal obligations and for reasons of substantial public interest (equality of opportunity or treatment)	<p>To comply with our equal opportunities monitoring obligations and to follow our policies</p> <p>For further information, see * below</p>
Criminal records information, including the results of Disclosure and Barring Service (DBS) checks <input type="checkbox"/>	From you and the Disclosing and Barring Service (DBS)	<p>To perform the employment contract</p> <p>To comply with our legal obligations</p> <p>For reasons of substantial public interest (preventing or detecting unlawful acts and protecting the public against dishonesty)</p>	<p>To carry out statutory checks</p> <p>Information shared with DBS and other regulatory authorities as required</p> <p>For further information, see * below</p>
Your trade union membership	From you or your trade union	<p>To perform the employment contract</p> <p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice</p>	<p>For staff administration and to pay trade union premiums and register the status of a protected employee</p> <p>Information shared with your trade union</p> <p>For further information, see * below</p>

Information on grievances raised by or involving you	From you, from other employees and from consultants we may engage in relation to the grievance procedure	<p>To perform the employment contract</p> <p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice</p>	<p>For staff administration, to follow our policies and to deal with grievance matters</p> <p>Information shared with relevant managers, HR personnel and with consultants we may engage</p>
Information on conduct issues involving you	From you, from other employees and from consultants we may engage in relation to the conduct procedure	<p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices</p>	<p>For staff administration and assessments, to follow our policies, to monitor staff performance and conduct and to deal with disciplinary and grievance matters</p> <p>Information shared with relevant managers, HR personnel and with consultants we may engage</p>
Details of your appraisals and performance reviews	From you, from other employees and from consultants we may engage in relation to the appraisal / performance review process	<p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice, to ensure safe working practices</p>	<p>For staff administration and assessments, to follow our policies, to monitor staff performance and conduct and to deal with disciplinary and grievance matters</p> <p>Information shared with relevant managers, HR personnel and with consultants we may engage</p>
Details of your performance management/improvement plans (if any)	From you, from other employees and from consultants we may engage in relation to the performance review process	<p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good</p>	<p>For staff administration and assessments, to follow our policies and to monitor staff performance</p>

		employment practice, to ensure safe working practices	Information shared with relevant managers, HR personnel and with consultants we may engage
Details of your time and attendance records	From you and from door entry systems, swipe card systems, cashless catering systems and application logs	To perform the employment contract Legitimate interest: to monitor and manage staff access to our systems and facilities and to record staff absences	For payroll and staff administration and assessments, to follow our policies and to monitor staff performance and attendance Information shared with relevant managers, HR personnel and with consultants we may engage.
Information in applications you make for other positions within our organisation	From you	To enter into/perform the employment contract To comply with our legal obligations Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice	To process the application Information shared with relevant managers, HR personnel and with consultants we may engage.
Information about your use of our IT, communication and other systems	Automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, remote access systems,	Legitimate interests: To monitor and manage staff access to our systems and facilities To protect our networks, and personal data of employees and customers/clients, against unauthorised access or data leakage To ensure our business policies, such as those concerning security and internet use, are adhered to	To protect and carry out our legitimate interests (see adjacent column) Information shared with relevant managers, HR personnel and with consultants we may engage For further information, see ** below

	trading platforms, email and instant messaging systems, intranet and Internet facilities, telephones, voicemail, mobile phone records	<p>For operational reasons, such as maintaining employment records, recording transactions, training and quality control</p> <p>To ensure that commercially sensitive information is kept confidential</p> <p>To check that restrictions on your activities that apply after your employment has ended (post-termination restrictions or restrictive covenants) are being complied with</p> <p>For security vetting and investigating complaints and allegations of criminal offences</p> <p>For statistical analysis</p> <p>To prevent unauthorised access and modifications to our systems</p> <p>As part of investigations by regulatory bodies, or in connection with legal proceedings or requests</p>	
Details in references about you that we give to others	From your personnel records, our other employees	<p>To perform the employment contract</p> <p>To comply with our legal obligations</p> <p>Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice</p>	<p>To provide you with the relevant reference</p> <p>To comply with legal/regulatory obligations</p> <p>Information shared with relevant managers, HR personnel and the recipient(s) of the reference</p>

You are required (by law or in order to enter into your contract of employment and best working practices around the current Keeping Children Safe In Education document and employment e.g. references and qualifications) to provide the categories of information marked '☐' above to us to enable us to verify your right to work and suitability for the position, to pay you, to provide you with your contractual benefits, such as to administer statutory payments such as statutory sick pay (SSP). If you do not provide this information, we may not be able to employ you, to make these payments or provide these benefits.