



How we use staff information

Privacy Notice

Broadway Academy complies with the General Data Protection Regulations (GDPR) and is a data controller for the purposes of the Regulations.

This privacy notice explains how we collect, store and use personal data about our workforce.

The Data Protection lead and first point of contact for staff data in the school is Sarah Bidwell, HR Director sarah.bidwell@broadway-academy.co.uk

The Data Protection Officer role is provided for the school by SIPS Education and queries should be referred to gdpr@sipseducation.co.uk

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The categories of school workforce information that we collect, process, hold and share include:

- Personal information (such as name, address, employee or teacher number, national insurance number, personal telephone numbers, car details)
- Evidence of proof of identity information (such as copies of passport, driving licence and other documents required to ensure compliance with Home Office and safeguarding requirements)
- Disclosure and Barring Service confirmation information (such as clearance check reference numbers, police clearances, overseas checks) Information is kept in a central record in line with statutory requirements for employees and contracted staff or volunteers who are in school on more than 3 occasions in 30 days
- Special categories of data including characteristics information (such as gender, age, ethnicity, disability, language, nationality, country of birth and sexuality)
- Contract information (such as start dates, hours worked terms and conditions of employment)
- Information about remuneration, including entitlement to benefits such as pensions
- Details of qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Broadway Academy
- Personal financial information (such as bank details to ensure payroll processing)
- Qualifications (and, where relevant, subjects taught)
- Personal contacts information (such as name of designated emergency contacts, addresses and telephone numbers)
- Work absence information (such as number of sickness absences and reasons, advice from GPs and medical professionals, leave for maternity/paternity/adoption and special leave)



- Information about medical or health conditions, including whether or not employees have a disability for which Broadway Academy needs to make reasonable adjustments
- Performance management information (such as appraisal objectives and outcomes, observation records)
- Records relating to disciplinary, grievance and capability procedures
- Information on accidents at work
- Training information (such as training attended and provided)
- Information relating to the prevention and detection of crime and the safety of staff and students including identity photographs and CCTV recordings
- Virtual Learning recordings (recordings of on-line live lessons retained for safeguarding purposes)
- Biometrics (such as recognition systems that use information related to your fingerprint so you can use the canteen and library [please note that the system we use does not save actual fingerprints])

The Academy may collect this information in a variety of ways. For example, data might be collected through application forms, obtained from passports or other identity documents such as driving licences; from forms completed by employees at the start of or during employment; from correspondence with employees; or through interviews, meetings or other assessments.

In some cases, we may collect personal data about employees from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law. In most cases, Broadway Academy will only seek information from third parties with the prior consent of the employee(s) in question.

Why we collect and use this information

Broadway Academy needs to process personal data to enter into an employment contract with its employees and to meet its obligations under employee employment contracts.

In some cases, the Academy need to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws.

We use school workforce data to:

- enable individuals to be paid and receive the benefits to which they are entitled
- facilitate safer recruitment
- enable the development of a comprehensive picture of the workforce and how it is deployed
- support effective performance management
- support effective absence management
- keep a record of disciplinary and grievance processes to ensure acceptable conduct at work
- manage the Academy's health and safety responsibilities
- train and develop staff in line with school priorities
- inform the development of recruitment and retention policies



- support financial modeling and planning
- provide references on request for current or former employees
- respond to and defend legal claims
- fulfil statutory reporting requirements

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations.

Where we process other special categories of personal data, such as information about ethnic origin, sexual orientation, religion or belief, this is for the purposes of equal opportunities monitoring. Data that Broadway Academy uses for these purposes is anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are free to decide whether to provide such data and there are no consequences of deciding against this.

The lawful basis on which we process this information

Our lawful basis for collecting and processing workforce information is defined in GDPR under Article 6. The following elements of the article apply:

- Consent: where you have given Broadway Academy clear consent to process your personal data for a specific purpose
- Contract: the processing is necessary for a contract you have with Broadway Academy
- Legal obligation: the processing is necessary for Broadway Academy to comply with the law
- Vital interests: the processing is necessary to protect someone's life.

Collecting this information

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 data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing this information

We will hold employees' personal data for the duration of their employment. The period for which detailed employee data is held after the end of employment is six years, and limited employment data is retained indefinitely for historical purposes.

We hold school workforce data in line with the Academy's retention guidelines in accordance with the Data Protection Policy <https://www.broadway-academy.co.uk/home/gdpr-privacy-notice/>

In accordance with the GDPR, the school does not store personal data indefinitely; data is stored only for as long as necessary to complete the task for which it was originally collected or to meet statutory requirements for data retention.

Data retention guidelines are based on the Information Management Toolkit for School [IRMS].

Who we share this information with

We do not share information with anyone without your consent, unless the law and our policies allow us to do so.

The Academy is required to routinely share information with:

- the Local Authority: we are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the



- School Workforce) (England) Regulations 2007 and amendments
- the Department for Education (DfE): we share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment

Additionally the Academy will share information with:

- Third party providers such as HR support services issuing and updating contracts (Birmingham City Council HR Services for Schools), our payroll provider (Birmingham City Council), HR Management information system provider, (SIPS)
- Disclosure and Barring Service
- HMRC and Pension Scheme
- Occupational health providers
- Insurance providers
- External auditor
- Previous and potential employers (in the form of reference information)
- Companies to fulfil our statutory reporting obligations
- Health authorities
- Police forces, courts, tribunals
- Professional bodies

At no time will your information be passed to organisations external to us, or our partners for marketing or sales purposes, or for any other commercial use without your prior express consent.

If we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Data collection requirements

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>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Sarah Bidwell, HR Director stzsb@broadway-academy.co.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance.

Further information

If you would like to discuss anything in this privacy notice, please contact:

Sarah Bidwell, HR Director
email: stzsb@broadway-academy.co.uk
Telephone: 0121 566 4334

Our Data Protection Officer (DPO) is provided by SIPS Education Ltd. The DPO can be contacted via GDPR@sips.co.uk

You can also report a concern online to the Information Commissioners Office at <https://ico.org.uk/concerns>

Telephone Number 0303 123 1113

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 12.

JULY 2020