

Trinity Academy Newcastle Trust Workforce, Governors, Volunteers and Visitors Privacy Notice

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1. Data Controller

Data Controller name: Trinity Academy Newcastle Trust

Registration Number: ZA118810

2. Overview

You have a legal right to be informed about how we use any personal information that we hold about you. This privacy notice is a statement that describes how and why Trinity Academy Newcastle Trust (known henceforth in this notice as ‘the Trust’) processes (‘collects’, ‘uses’, ‘retains’, ‘discloses’, ‘disposes of’) personal data about individuals we employ, or otherwise engage, with the Trust.

This notice also explains how you can control the way we use your information in accordance with your rights under relevant data protection legislation.

We, Trinity Academy Newcastle Trust, are the ‘data controller’ for the purposes of data protection law.

Our data protection officer is Berjees Tata (see ‘Contact us’ below).

3. The personal data we hold

We hold some personal information about you to make sure we can educate our pupils.

For the same reason, we get information directly from you, and/or from some other places too – like your current and/or previous employer(s), your current or previous education provider, other schools, the local council and the government.

This information includes:

- Contact details for you, your emergency contact and your next of kin
- Date of Birth, marital status, gender
- Photographs
- CCTV images
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in an application form, CV or cover letter, and any other part of the application process
- Qualifications and employment records, including work history, salary, job titles, working hours, training records and professional memberships
- Performance information
- Lesson Observations, feedback, quality assurance, and any other job-related evaluations

- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Data about your use of the school's information and communications system
- Family home Health & Safety assessments as and when required
- Any other Safeguarding and Welfare information as and when required

4. Why we process this data

We use this data to help run the school, including to:

- Enable you to be paid
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- Assess the quality of our services
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Safeguarding the Trust's staff and ensuring the environment is suitable for educational purposes

5. Legal basis for processing your data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)
- We have legitimate interests in processing the data – for example, where:
 - Invite you to curricular and extra curricular events
 - Invite you to fundraising and charitable events
 - Invite you to training events, courses and programmes

Where you have provided us with consent to use your data, you may withdraw this consent at any time by contacting the data protection officer. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

6. How personal data is stored and accessed by Trinity Academy Newcastle Trust

Personal data is stored in the Trust's Management Information Systems, other recording and monitoring systems including paper copies, databases, spreadsheets and shared drives located on-site (e.g. the Trust's servers) and on the cloud (e.g. Microsoft Office 365). Access to these locations is restricted to Trust employees only. All Trust employees, contractors and volunteers who are granted access to personal data receive mandatory Data Protection training and have a contractual responsibility to maintain confidentiality.

7. Automated individual decision making, including profiling

'Automated decisions' occur where systems make decisions about you 'automatically' without human intervention. We **do not** currently use any automated decision making systems. We will contact to inform of any changes and seek your consent to do so.

You have the right to change your mind for either automated decision making at any time even after providing your consent, by contacting the data protection officer on data.central@trinity.newcastle.sch.uk.

8. Personal Data may be shared

Personal data processed under this privacy notice may be shared, as appropriate, with...

- The Local Educational Authorities ('the LEA'), the Education Skills Funding Agency ('the ESFA') and the Department for Education ('the DfE') for the purposes of Statistical Reporting, legal obligations as an education provider, request for additional funding, and/or fulfil the Trust's contractual obligations (funding agreement, etc.).
- Awarding Bodies and Training Certification Providers (e.g. Pearson Edexcel, AQA, OCR, WJEC, NCFE, City & Guilds, etc.) for the purposes of registration, assessment and certification of any courses undertaken at the Trust.

- Our regulators (the organisation or “watchdog” that supervises us) like Ofsted.
- Youth Support Services (e.g. Connexions) for the purposes of careers guidance and facilitation of placements.
- The Newcastle City Council ICT Services for administration of a user account, should that be considered necessary for your education.
- Our MIS (management information system) providers. (currently SIMS and PICS)
- Other assessment, behaviour, and educational resources providers like ePraise, Doodle, ReadingWise, etc. (we will seek consent before using new ones).
- Research organisations and/or researching/surveying websites like Ofsted Parent View and SurveyMonkey.
- Our website, local and online media and newsletters (i.e. ‘the public domain’), for the purposes of parental engagement and publicity. (we will seek consent before using this)
- Locally stored and cloud based software applications for the purposes of support services (e.g. Rewards points, Utilities, InVentry signing in and out logs, facilities and premises maintenance, etc.)
- Suppliers and service providers – so that they can provide the services we have contracted them for.
- Trade unions and associations
- Educational Psychologists
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities (e.g. your local GP, the NHS, etc.)
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

On occasion, the Trust may also be obliged to provide information to the police, local authorities or relevant government departments if deemed necessary under the appropriate exemption for the prevention or detection of crime and/or safeguarding concerns.

9. Transfers to third party countries

Some services utilised by the Trust are hosted by, or shared with, other organisations based either within the European Union or, in limited situations, outside of the European Union (referred to as “third party countries”), in countries that have comparable levels of protection. Where data is shared with organisations

outside of the European Union, we ensure that there are appropriate safeguards in place.

The following systems may require sharing of data outside of the UK.

Provider	Services	Location Hosted
Microsoft Office 365	Cloud storage solutions and Emails sent to/from the Trust's email accounts	Within the EU

10. How long personal data is held by the Trust.

We are required to keep your personal data during your time with the Trust. We have a data retention policy, which sets out how long we must keep information about you, even after you have stopped working with us. You can request a paper copy by contacting the Data Protection Officer, or alternatively, visit our website "policies" section here → <http://trinity.newcastle.sch.uk/policies/data-protection>

11. Where does the Trust get your personal data from?

We obtain personal data about you from the following sources:

- The Local Authority
- Any previous employers
- Direct from you

12. Your Rights (including under GDPR)

Access to information

You have a right to request copies of the data held about you by the Trust. To do so please contact the data protection office for a Subject Access Request.

Data Portability

From 25th May 2018 onwards you will have the right to request any personal data you submitted electronically to us. To do so please contact the data protection office.

Rectifying Data

If at any point you believe the information we process about you is inaccurate or incomplete you can request to see this information and even have it corrected or deleted. To do so please contact the data protection office.

How we will contact you and your right to object to direct marketing

All communication with you, including in relation to updates to this privacy notice, will be made via the preferred method of communication that you have registered with us and you will be able to select the type of correspondence you receive.

If, at any stage, you are concerned about the content (e.g. unwanted marketing), frequency (too many) or method (change preference) of these communications, you can unsubscribe or update your preferences using the link which will be provided at the bottom of the relevant correspondence.

Please note that the option to unsubscribe may not be included in direct personal correspondence with individual members of staff, but you may request to them that you be removed from our systems.

Erasing Data

Should you object to the processing of your data for any or all the purposes listed in this privacy notice, or should you wish to have your data erased from our system, please contact the data protection office.

13. Data Protection Office

The Officer responsible for Data Protection at the Trust is Berjees Tata.

If you have any questions which you feel have not been covered by this Privacy Notice, or if you have concerns or a complaint in relation to the Trust processing your personal data, please do not hesitate to email us at data.central@trinity.newcastle.sch.uk

If your request is urgent, please call +44 (0)191 298 6950

14. Lodging a Complaint with the Information Commissioners Office

We take all complaints about how we collect and use your personal data very seriously, so please let us know if you're worried about anything.

You can make a complaint at any time by contacting our data protection officer Berjees Tata.

Should you be dissatisfied with the Trust's processing of your personal data, you have the right to complain to the Information Commissioner's Office. For more information see [Information Commissioner's Office \('ICO'\) web site](#).

Restricting Processing

From 25th May 2018 onwards, if you wish to raise a complaint on how we have handled your personal data, you can also request that we 'restrict processing'

meaning that the data will be preserved from further processing ‘as evidence’ to support your complaint to the ICO. Contact our Data Protection Officer (*see above*) to request restriction of processing.

15. Changes to this privacy notice

We keep this privacy notice under regular review. This privacy notice was last updated on 31 May 2018. The next review is due by 01 April 2019.

16. Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer Berjees Tata...

- via email: data.central@trinity.newcastle.sch.uk,
or
- by telephone: 0191 298 6950.

Appendix

Legal Conditions for Processing Data Under GDPR

Personal Data	
Article 6, EU GDPR "Lawfulness of processing"	Meaning
1. Processing shall be lawful only if and to the extent that at least one of the following applies:	
(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;	Any data which is optional and will only be processed if you agree to it.
(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;	Data that we need to process in order to fulfil our contractual obligations to you.
(c) processing is necessary for compliance with a legal obligation to which the controller is subject;	Where the Trust has a legal obligation to provide information to a third party.
(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;	The Trust may have to release without consent to protect your interests or the interests of others e.g. medical emergencies, criminal investigations, etc.
(e) 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;	As a Trust, our educational activities are “public tasks” and we may be required to process information about you to fulfil these tasks.
(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.	“Legitimate interest” is generally the interest of the Trust (or third party) in providing services or the provision of education to a data subject.

Special Categories of Personal Data	
Article 9, EU GDPR	Meaning
"Processing of special categories of personal data"	
1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.	
2. Paragraph 1 shall not apply if one of the following applies:	
(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;	Any special category data which is 'optional' will only be processed if you agree to it. e.g. Unless required by Law or Contract, we would ask permission to "process sensitive data".
(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;	Where the Trust must process special categories of personal data to fulfil a duty of care to safeguard their students and staff, or to perform their civic duty under the rule of law.
(c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;	Medical Emergencies
(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;	Trust does not share information under this sub-article
(e) processing relates to personal data which are manifestly made public by the data subject;	Data is already "publicly available". e.g. confirming information about an individual that is in the news.
(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;	Processing "special categories" of data in connection with legal claims (Trust or Individuals).
(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;	Processing "special categories" of data where necessary for reasons of substantial public interest. e.g where an individual may be in danger and provisions need to be put in place to protect them.
(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;	Processing "special categories" of data where necessary for occupational health provision. e.g. sharing information for assisting with adjustments and access arrangements
(i) 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 health care and of medicinal products or	Processing "special categories" of data where necessary for reasons of substantial public interest. e.g. an outbreak of Meningitis

<p>medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;</p>	
<p>(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</p>	<p>Processing “special categories” of data where necessary for archiving purposes (e.g. quotes for financial audit and tax purposes)</p>