



WORKFORCE PRIVACY NOTICE

The Central Team and DPO will review this notice on a 2 yearly cycle

Approved by/ date:	Sept 2023
Next review:	Sept 2025

Sea View Trust – Workforce Privacy Notice

The Sea View Trust ('the Trust') is required by law to collect and process personal data relating to all of its workforce. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This privacy notice provides you with information about how we collect and process personal data of our workforce, employees, workers, consultants, job candidates and governors in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

This notice applies to current and former candidates, employees, workers, consultants and governors. This notice does not form part of any contract of employment or other contract to provide services.

Who are we?

This privacy notice has been issued on behalf of The Sea View Trust. The Trust is made up of a number of different schools, academies and colleges. This privacy notice is issued on behalf of the Sea View Trust so when we mention "the Trust", "we", "us" or "our" in this privacy notice, we are referring to

the school, Trust or college responsible for processing your data. The Trust is the 'data controller' for the purposes of data protection law. Our registered office address is Ewood Campus Clod Lane, Haslingden, Rossendale, England, BB4 6LR. We are registered with the Information Commissioner's Office (registration number ZA742257).

The Sea View Trust has appointed a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

What information does the Trust collect?

The Trust collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, 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 Trust;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- recruitment information (including copies of right to work documentation, references and other information included as part of the application process);
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- details of your schedule (days of work and working hours) and 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 your use of our ICT system;
- Photographs; and
- CCTV.

Sensitive personal information the Trust collects

We may also collect, store and use the following more sensitive types of personal information (known as "special category data"):

- Equal opportunities monitoring information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Trade union membership.

- Information about your health, including any medical condition, sickness records and occupational health records.
- Information about your criminal offences and convictions.

How is information collected?

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

In some cases, the Trust may collect personal data about you 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.

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

Why does the Trust process personal data?

We have set out below a description of all the ways we plan to use your information, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. We may process your information for more than one lawful ground depending on the specific purpose for which we are using your information.

Purpose/Activity	Type of Information	Lawful Basis for Processing Information
To make a decision about your recruitment or appointment	Contact details Personal details Qualifications and experience Rates of pay Recruitment information	Performance of a contract
To determine the terms on which you work for us	Contact details Personal details Rates of pay Recruitment information	Performance of a contract
To ensure you are legally entitled to the work in the UK	Contact details Personal details Recruitment information	Performance of a legal obligation

To pay you and, if you are an employee or deemed employee for tax purposes, deducting tax and National Insurance contributions	Contact details Personal details National insurance details Bank, payroll and tax details	Performance of a legal obligation Performance of a contract
To provide benefits to you	Contact details Personal details Employment records or terms of service	Performance of a contract
To enrol you in a pension arrangement in accordance with our statutory automatic enrolment duties	Contact details National insurance number Bank, payroll and tax details	Performance of a legal obligation
To administer the contract we have entered into with you	Contact details Personal details Employment records or terms of service	Performance of a legal obligation Necessary for our legitimate interests to run the Trust, provision of IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise
For Trust management and planning, including accounting and auditing	Contact details Personal details Employment records or terms of service Salary or payment details	Necessary for our legitimate interests to run the Trust and manage our workforce
To conduct performance reviews, managing performance and determining performance requirements	Contact details Personal details Employment records or terms of service	Necessary for our legitimate interests to run the Trust and manage our workforce

	Performance information	
To gather evidence for possible grievance or disciplinary hearings	Contact details Personal details Employment records or terms of service Performance information CCTV	Performance of a contract Performance of a legal obligation Necessary for our legitimate interests of handling disputes
To deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work	Contact details Personal details Employment records or terms of service Performance information CCTV	Performance of a contract Performance of a legal obligation Necessary for our legitimate interests of handling disputes
To make decisions about your continued employment or engagement	Contact details Personal details Employment records or terms of service Performance information	Necessary for our legitimate interests to run our business and manage our workforce
To make arrangements for the termination of our working relationship	Contact details Personal details Employment records or terms of service Performance information	Performance of a contract Necessary for our legitimate interests to run the Trust and manage our workforce
For education, training and development requirements	Contact details Personal details Employment records or terms of service Performance information Training records	Performance of a legal obligation Performance of a contract

To monitor your use of our information and communication systems to ensure compliance with our data protection and security policies	Contact details Personal details Details of ICT use CCTV	Necessary for our legitimate interests to run the Trust, provision of IT services and to ensure network security
To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution	Contact details Personal details Details of ICT use CCTV	Necessary for our legitimate interests to run the Trust, provision of IT services and to ensure network security
To conduct data analytics studies to review and better understand employee retention and attrition rates	Contact details Personal details Rates of pay Recruitment information Employment records	Necessary for our legitimate interests to better understand our workforce

Purposes for processing – Sensitive personal information

We have set out below a description of all the ways we plan to use your information, and which of the legal bases we rely on to do so.

Purpose/Activity	Type of Information	Lawful Basis for Processing Information
To administer benefits including statutory maternity pay, statutory sick pay	Contact details Personal details National insurance details Bank, payroll and tax details Health and medical information	Performance of a legal obligation
To ascertain your fitness to work	Contact details Personal details Health and medical information	Performance of a legal obligation

	Occupational health records	
To manage sickness absence	Contact details Personal details Health and medical information Occupational health records	Performance of a legal obligation
To comply with health and safety obligations	Contact details Personal details Health and medical information Occupational health records	Performance of a legal obligation
To make reasonable adjustments	Contact details Personal details Health and medical information Occupational health records	Performance of a legal obligation
To ensure your suitability for work	Contact details Personal details Occupational health records Criminal offence and conviction data	Performance of a legal obligation
To ensure meaningful equal opportunity monitoring and reporting	Information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation	Performance of a task in the public interest
To pay trade union premiums, register the status of a protected employee and to comply with employment law obligations	Contact details Personal details Trade union membership	Performance of a legal obligation

Who has access to data?

Where necessary or required, we may share your personal information as follows:

- With other schools, academies and colleges in the Sea View Trust.
- With our local authorities.
- With the DfE.
- With Ofsted.
- With third party service providers, in connection with services performed on our behalf. For example, our IT provider, payroll provider and pension administrator.
- With our accountants, auditors, insurers, legal advisors and any other professional advisors.
- With courts and tribunals.
- With government bodies and law enforcement agencies.
- With health and welfare organisations.
- With our occupational health providers.
- With third parties to whom we may choose to transfer or merge parts of the Trust or our assets. Alternatively, we may seek to acquire other trusts, schools or academies or merge with them. If a change happens to the Trust, then the new management team may use your personal data in the same way as set out in this privacy notice.

This list is not exhaustive as there are other circumstances where we may also be required to share information, for example:

- To meet our legal obligations.
- In connection with legal proceedings (or where we are instructed to do so by Court order).

Our relationships with third party services providers are governed by contractual provisions with us and they only have access to personal information to perform the described purposes and may not use it for other purposes.

The Trust will not normally transfer your data to countries outside the UK or the European Economic Area. However, there may be some circumstances where it is necessary to transfer and store personal information at a destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with data protection law and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR

How does the Trust protect data?

The Trust takes the security of your data seriously. The Trust 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 performance of their duties.

Where the Trust 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 Trust keep data?

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. Details of retention periods for different aspects of your personal information are available in The Sea View Trust's Record Management Policy.

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 Trust to change incorrect or incomplete data;
- require the Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the Trust is relying on its legitimate interests as the legal ground for processing.

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent.

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office.

You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or visiting www.ico.org.uk/concerns

Contact us

If you would like to discuss anything contained within the privacy notice please contact the Data Protection Officer via e-mail – dataprotectionofficer@forbessolicitors.co.uk.

What if you do not provide personal data?

You have some obligations under your employment contract to provide the Trust with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Trust 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 Trust to enter a contract of employment with you. If you do not provide other information, this will hinder the Trust's ability to administer the rights and obligations arising as a result of the employment relationship efficiently for example

- Employees found to be working illegally could face prosecution by law enforcement officers.
- Failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax
- Failure to provide bank details will result in non payment of salary

How can you find out more information?

If you require further information about how we and/or the DfE store and use your personal data, please visit our website, the Gov.UK website, or review our GDPR Data Protection Policy and Records Management Policy.