



Workforce Privacy Notice

Approved On/By:	Full Governing Body Committee 22 nd January 2025
Last Reviewed On:	FGB Committee 15 th January 2025
Next Review Due By:	FGB Spring Term 2026
Monitoring & Review:	Annually
Staff Member(s) Responsible:	S Butt

Workforce Privacy Notice

Policy Statement

We are Hodge Hill College. During an individual's time with us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after they have left the school. Anything that we do with an individual's personal data is known as "processing".

This document sets out what personal data we will hold about our workforce, why we process that data, who we share this information with, and the rights of individuals in relation to their personal data processed by us.

We, at Hodge Hill College, Bromford Road, Birmingham B36 8HB, are the data controller for the purposes of UK data protection law

Our data protection officer is Mrs S Butt (see 'Contact us' below).

What information do we process in relation to our workforce?

We will collect, hold, share or otherwise use the following information about our workforce:

- personal information (such as name, gender, marital status address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and next of kin and emergency contact details)
- contract information (such as start dates, hours worked, post, roles and salary information, annual leave, pension and bank/building society 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 or cover letter or as part of the application process
- work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records,
- qualifications / training courses attended and, where relevant, subjects taught, languages spoken (such as professional training record) and work history

- performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans)
- Absence data
- Outcome of any disciplinary or grievance records. Low level concerns
- other information (such as pension arrangements and all information included in these necessary to administer them), time and attendance records (inventory records), information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and images
- Copy of driving licence and right to work documentation
- For insurance purposes, copies of your MOT and car insurance
- Data about your use of the school's information and communications system

We will also use special categories of data of more sensitive personal data:

- including such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, political opinions, trade union membership, information about health conditions you have that we need to be aware of and biometric information. These types of personal data are subject to additional requirements.

- **Sickness records**

- **Photographs and CCTV images captured in school**

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

Where do we get information from about our workforce?

A lot of the information we have about our workforce comes from the individuals themselves. However, we may also obtain information from tax and regulatory authorities such as HMRC, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publicly available resources including online sources. In addition, we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems, CCTV and access control systems, communications systems, remote access

systems, email and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

Why do we use this information?

We will process the personal data of our workforce for the following reasons:

1. Where we are required by law, including:
 - To comply with the law regarding data sharing (see further below)
 - To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS
 - To comply with legal requirements in relation to equalities and non-discrimination

2. Where we are required by any contract with our workforce, such as employment contracts, including:
 - To make payments to our workforce, such as salary payments
 - Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
 - To deduct tax and National Insurance contributions
 - To make a decision about recruitment
 - To check individuals are legally entitled to work in the UK
 - Administering employment contracts
 - Support effective performance reviews
 - Making decisions about salary and compensation
 - Liaising with pension providers
 - Allow better financial modelling and planning
 - Enable equalities monitoring

3. Where the law otherwise allows us to process the personal data, or we are carrying out a task in the public interest, including:
 - To enable the development of a comprehensive picture of the workforce and how it is deployed
 - To inform the development of recruitment and retention policies
 - To safeguard our pupils and other individuals
 - To ensure safe working practices
 - In the interests of ensuring equal opportunities and treatment
 - Allow better financial modelling and planning
 - Improve the management of workforce data
 - Support the work of the School Teachers Review Body
4. Where we otherwise have the consent of the individual

Whilst the majority of processing of personal data of our workforce will not require consent, we will inform individuals if their consent is required and seek that consent before any processing takes place. Due to the imbalance of power in an employee to employer relationship, it is generally thought that although consent may be implied it cannot truly be freely given. So consent is not necessarily the most appropriate basis to rely upon as an employer.

Why do we use special category personal data?

We may process special category personal data of our workforce for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy
2. Where the processing is necessary for reasons of substantial public interest such as defined in legislation, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational medicine in order to assess an individual's working capacity and/ or the need for reasonable adjustments.
4. Where we otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.
5. Where the data concerned has already been made manifestly public by the employee

6. There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.
7. We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
8. We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
9. We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

10. We have obtained your consent to use it in a specific way
11. We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
12. The data concerned has already been made manifestly public by you
13. We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
14. We need to process it for reasons of substantial public interest as defined in legislation

Failure to provide this information

If our workforce fail to provide information to us then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

How long will we hold information in relation to our workforce?

We will hold information relating to our workforce only for as long as necessary. How long we need to hold on to any information will depend on the type of information. For further detail, for how long we keep information about staff please see [Information and records management society's toolkit for schools](#).

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

Who will we share information with about our workforce?

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Local authorities- Birmingham City Council- to meet our legal obligations to share certain information with it, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education in compliance with legal obligations of the school to provide information about our workforce as part of statutory data collections
- Contractors, such as payroll providers, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP regarding tax payments and benefits
- Our professional advisors including legal and HR consultants
- Educators and examining bodies
- Professional bodies
- Police forces, courts, tribunals
- Employment and recruitment agencies
- Your family or representatives
- Ofsted
- Suppliers and service providers: Catering
- Financial organisations
- Health authorities
- Security organisations
- Professional advisors and consultants
- Professional bodies
- Trade unions and associations

- Health and social welfare organisations

The Department for Education may share information that we are required to provide to them with other organisations. For further information about the Department's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.

Contact details for the Department can be found at <https://www.gov.uk/contact-dfe>.

Transferring data internationally

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

Rights of our workforce in relation to their personal data

All of our workforce have the right to request access to personal data that we hold about them. To make a request for access to their personal data, individuals should contact:

Mrs S Butt
Hodge Hill College
Bromford Road
Birmingham
B36 8HB

Please also refer to our Data Protection Policy for further details on making requests for access to workforce information.

Individuals also have the right, in certain circumstances, to:

- Object to the processing of their personal data
- Prevent your data being used to send direct marketing
- Have inaccurate or incomplete personal data about them rectified
- Restrict processing of their personal data
- Object to the making of decisions about them taken by automated means
- Have your data transferred to another organisation
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office

- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose

If an individual wants to exercise any of these rights then they should contact HR manager. The law does not oblige the school to comply with all requests. If the school does not intend to comply with the request then the individual will be notified of the reasons why in writing.

Concerns

If an individual has any concerns about how we are using their personal data then we ask that they contact our Data Protection Officer in the first instance. However an individual can contact the Information Commissioner's Office should they consider this to be necessary, at <https://ico.org.uk/concerns/>.

Contact

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

Mrs S Butt- DATA PROTECTION OFFICER
Hodge Hill College
Bromford Road
Birmingham
B36 8HB