

CARFAX

COLLEGE

DATA PROTECTION POLICY AND PRIVACY STATEMENT FOR COLLEGE STAFF

1. Purpose of the document

Carfax College is committed to protecting and respecting your personal data. The data that we gather and hold is managed in accordance with the General Data Protection Regulations (GDPR) 2018. This privacy policy explains how we use any personal information that we collect about you when you engage with any of our activities or services, with effect from 25 May 2018:

Carfax College is a “data controller”. This means that we are responsible for deciding how we hold and use personal information. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to our employees and self-employed tutors, who are referred to collectively as “staff”. This notice does not form part of any contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information.

2. Data protection principles

We will comply with data protection law, which says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

3. What data do we process?

The following are categories of Carfax College Staff information that we process:

- personal information (such as name, address, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- information relating to contract or work agreement (such as start date, hours worked, availability, subjects taught, roles and salary information and grading)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- Information on what has been taught.

4. Why we collect and use staff information

We will only use your personal information in order to do the following:

- where we need to perform the contract we have entered into with you
- where we need to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- where we need to protect your interests (or someone else's interests)
- where it is needed in the public interest or for official purposes.

Most commonly, we will use your personal information in the following circumstances:

- making a decision about an individual's recruitment or appointment
- checking the individual is legally entitled to work in the UK. Paying an individual and, where applicable, deducting tax and National Insurance contributions (NICs)
- providing any benefits where applicable
- enrolling employees in a pension arrangement in accordance with our statutory automatic enrolment duties
- administering the contract we have entered into
- conducting performance and/or salary reviews, managing performance and determining performance requirements
- assessing qualifications for a particular job or task, including decisions about promotions and payment ranking
- gathering evidence for possible grievance or disciplinary hearings
- making decisions about continued employment, engagement
- making arrangements for the termination of our working relationship
- education, training and development requirements
- dealing with legal disputes, including accidents at work
- ascertaining fitness to work
- managing sickness absence
- complying with health and safety obligations

- complying with safeguarding obligations
- to monitor your use of our information and communication systems to ensure compliance with our IT policies
- to ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- equal opportunities monitoring.

5. How we use “special categories” of staff data

“Special categories” of particularly sensitive personal information require higher levels of protection. Special category data can include information on staff ethnicity, and medical health. We will use particularly sensitive personal information of Employees in the following ways:

- we will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- we will use information about the physical or mental health of staff, or their disability status, to ensure health and safety in the workplace and to assess the fitness of staff to work
- to provide appropriate workplace adjustments
- to monitor and manage sickness absence
- to administer benefits including statutory maternity pay, statutory sick pay, and pensions and permanent health insurance, where applicable
- we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We are allowed to use your personal information in this way to carry out our obligations. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

6. How we collect staff information

- collected on application, such as via references, CV or application form.
- gathered from you in the course of working for us.
- performance information gathered via pupil feedback forms or lesson observations.

Pupil data is essential for the schools’ operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

7. How we retain your personal data and keep it secure

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 our **retention policy** which can be obtained by emailing the data officer.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

We use reasonable organisational, technical and administrative measures to keep any information collected and/or transmitted to us secure. This includes the use of HTTPS with TLS (Transport Layer Security), which encrypts transmitted data, however, no data transmission or storage system can be guaranteed to be 100% secure.

Sensitive data is further password protected and staff files are kept in lockable cabinets in secure parts of the study centre.

8. Who we share staff information with

We routinely share this information with:

- the Department for Education (DfE)
- Regulatory bodies, such as OFSTED.

9. Why we share school workforce information

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

- We are required to share information about our staff with the Department for Education (DfE) for the purpose of those data collections, under Section 537A of the Education Act 1996 and processing of this data is necessary for reasons of substantial public interest.
- We share information with regulatory bodies (e.g. OFSTED, ISI) for ensuring compliance and the safety and welfare of our pupils.

10. Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact dataofficer@carfax-oxford.com

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
- a right to seek redress.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

11. How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

12. Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

13. Contact

If you would like to discuss anything in this privacy notice, please contact: dataofficer@carfax-oxford.com