



# NPAT WORKFORCE PRIVACY NOTICE

Author:	Trust Executive Office Manager
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## 1. INTRODUCTION

Under UK data protection law, individuals have a right to be informed about how our Trust and schools use any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

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 Trust.

Anything that we do with an individual's personal data is known as '**processing**'.

This privacy notice explains what personal data we will hold about our workforce and how we collect, store and use personal data about individuals we employ, who volunteer or who otherwise engage to work within our schools.

Our trust, Northampton Primary Academy Trust is the '**data controller**' for the purposes of UK data protection law.

Our Data Protection Officer, Angela Corbyn, is contactable by email at:

[DPO@npatschools.org](mailto:DPO@npatschools.org)

## 2. THE PERSONAL DATA WE HOLD

Personal data that we may collect, use, store and share (when appropriate) about our workforce includes, but is not restricted to:

- Contact details and personal information (such as name, address, email, telephone and NI number)
- Date of birth, marital status
- Next of kin and emergency contact numbers
- Contract information (such as start date, hours worked, post, roles, salary, pension and benefits information)
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, tax status information
- Recruitment information, including contract information, copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications, training and employment records, including work history, job titles, working hours, training records and professional memberships

- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Specific medical information as required to comply with health and safety measures.
- Information about your use of our information and communications systems, including filtering and monitoring, equipment and facilities (e.g. school computers)
- Other information such as holiday records, images, audio & video recordings.
- Photographs, CCTV footage and images obtained when you attend the school or Trust site

We may also collect, use, store and share (when appropriate) information about you that falls into ‘**special categories**’ of more sensitive personal data. This includes, but is not restricted to:

- Gender
- Age
- Ethnicity
- Sex or sexual orientation
- Religious or similar beliefs
- Health information which may include dietary needs and allergies
- Information about trade union membership

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.

### 3. WHERE DO WE GET INFORMATION FROM ABOUT OUR WORKFORCE?

A lot of the information we have about our workforce comes from the individuals themselves. Staff data is essential for the school and Trust use. Whilst the majority of information you provide to us is mandatory, there is some information that can be provided voluntarily. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

However, we may also obtain information from tax and regulatory authorities such as HMRC, Local authorities, Government departments or agencies, police forces, courts, tribunals, previous employers, trade unions, the DBS, 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, telephones, voicemail and mobile phone records.

We may also have image, audio or video recordings of our workforce where we collect this information to support pupil learning through the professional development of our staff.

#### 4. HOW WE STORE THIS DATA

We keep personal information about you while you work within the Trust. We may also keep it beyond your employment if this is necessary. Our record retention schedule within the NPAT Records Management Policy sets out how long we keep information about staff.

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.

#### 5. WHY WE USE THIS DATA

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

##### 5.1 Where we are required by law, including:

- To comply with the law regarding data sharing
- 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

##### 5.2 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

- 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
- Conducting performance reviews
- Making decisions about salary and compensation
- Liaising with pension providers
- Providing employment benefits

5.3 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, CPD programmes and staff wellbeing activities
- To safeguard our pupils and other individuals
- To ensure safe working practices
- In the interests of ensuring equal opportunities and treatment
- To support pupil learning through professional development of our workforce
- To allow better financial modelling and planning

5.4 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.

## 6. WHY WE USE SPECIAL CATEGORY DATA

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- 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
- The data concerned has already been made manifestly public by you

- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- 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
- 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
- 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:

- We have obtained your consent to use it in a specific way
- 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
- The data concerned has already been made manifestly public by you
- 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
- 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.

### **Who will we share information with about our workforce?**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it's legally required, or necessary (and it complies with UK data protection law), we routinely share personal information about you with:

- Local authorities and appropriate external agencies (e.g. OIA) , to assist them in the exercise of their responsibilities in relation to 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
- Educators and examining bodies
- Ofsted
- Suppliers, service providers and 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, or Performance Management or CPD providing organisations
- Our professional advisors including legal and HR consultants

#### DEPARTMENT FOR EDUCATION (DfE)

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections for things such as:

**School census:** regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the Department for Education (DfE) under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section. For privacy information on the data the Department for Education collects and uses, please see: <https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3>

and

<https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education>

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>.

## 7. USE OF YOUR PERSONAL DATA FOR MARKETING PUPOSES

We do not share your personal data for marketing purposes, unless where you have given us consent to do so.

## 8. USE OF YOUR PERSONAL DATA IN AUTOMATED DECISION MAKING AND PROFILING

We do not currently process any staff members' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## 9. TRANSFERRING DATA INTERNATIONALLY

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

## 10. USE OF YOUR PERSONAL DATA FOR FILTERING AND MONITORING PURPOSES

We may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers).

We do this so that we can:

- I. Comply with health and safety and other legal obligations.
- II. Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations..
- III. Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s).

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:



- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- 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
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- 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
- 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
- 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:

- We have obtained your consent to use it in a specific way
- 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
- The data concerned has already been made manifestly public by you
- 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
- We need to process it for reasons of substantial public interest as defined in legislation

## 11. YOUR RIGHTS

You have the right to request access to personal data that we hold about you, subject to a number of exceptions. To make a request for access to your personal data, you should contact: [dpo@npatschools.org](mailto:dpo@npatschools.org)

Please also refer to our Subject Access Request Policy, available on the Trust website, for further details on making requests for access to your personal data.

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called ‘right to be informed’.
- the right to ask us to change any information you think is not accurate or complete – this is called ‘right to rectification’.
- the right to ask us to delete your personal information – this is called ‘right to erasure’
- the right to ask us to stop using your information – this is called ‘right to restriction of processing’.
- the ‘right to object to processing’ of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don’t haven’t the right to object, but you have the right to withdraw consent.
- If you have a concern 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 [raise a concern with ICO](#).
- For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the ‘How Government uses your data’ section of this notice.

If you want to exercise any of these rights then you should contact [dpo@npatschools.org](mailto:dpo@npatschools.org)

The law does not oblige the Trust to comply with all requests. If the Trust does not intend to comply with the request then you will be notified of the reasons why in writing.

## 12. CONCERNS

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 13. HOW GOVERNMENT USES YOUR DATA

The workforce data that we lawfully share with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

### DATA COLLECTION REQUIREMENTS

To find out more about the data collection requirements placed on us by the Department for Education (DfE) including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### SHARING BY THE DEPARTMENT FOR EDUCATION (DfE)

The Department for Education (DfE) 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 for Education (DfE) will only share your personal data where it is lawful, secure and ethical to do so and 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 the Department for Education (DfE) releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of public benefit, proportionality, legal underpinning and strict information security standards.

For more information about the Department for Education's (DfE) data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the Department for Education (DfE) has provided information, (and for which project) please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information the Department for Education (DfE) hold about you;**

Under the terms of UK GDPR, you're entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>