

Breakthrough Transformation Trust

Employee Privacy Notice: **How we use your information**

For details about how we handle personal information collected for COVID19 purposes see [COVID19 Privacy Notice](#)

This privacy notice was updated on 9th July 2020

Personal information we collect

We collect the following information about you:

- Personal identifiers (such as your name, date of birth, employee or teacher number, national insurance number, car registration number)
- Characteristics information (such as gender, age, ethnic group)
- Recruitment information (e.g. job application; qualifications, training and education, evidence of your right to work, references)
- Contract information (such as start date, hours worked, post, roles, salary and bank details, pension and tax information)
- Personnel information (such as appraisal and performance)
- Work absence information (such as number of absences and reasons, fitness to work and occupational health information)
- Outcome of your Disclosure and Barring Service (DBS) check and certificate number
- Health, disability or dietary requirements you have chosen to share with us
- Next of kin and emergency contacts
- Religious or other beliefs
- Allegations or concerns about child protection or safety
- Photographs and video recordings of you (such as official Trust photographs, class working photographs)
- Your image captured on our CCTV system when you are on school premises
- Your consent preferences

We need this information to:

- Recruit, retain, train, appraise, manage the welfare of and performance of staff
- Enable individuals to be paid, pension contributions made, and tax and NI deducted
- Undertake our responsibilities for safeguarding children
- Provide employee services and benefits
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Communicate with employees regarding work related matters
- Comply with the law regarding data sharing
- Maintain staff records
- Provide catering, payment, ICT, learning and information services
- Assess the quality of our services
- Assist in crime prevention, detection and public safety
- Carry out audits (e.g. to ensure compliance with our legal obligations)
- Deal with complaints, grievances and disciplinary action
- Administer trips and activities
- Monitor and comply with our responsibilities under the Equality Act 2010 and make reasonable adjustments where required
- Safeguard and monitor the health and welfare of our employees
- Ensure staff and student safety and security

Who we share information with

We share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a Trust. We only share information about you where it is **strictly necessary** for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:

Police and law enforcement agencies

We may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation to prevent or detect a crime or safeguard individuals at risk.

Service providers

We use companies that provide us with a service to help us run effectively as a Trust; the services we often receive are IT support, professional or legal advice, learning or teaching resources, communication services, catering or transport. To receive these services, we sometimes need to share personal information. Further details about our service providers can be found [below](#):

- Future employers (for reference information)
- Examination boards
- IT service providers to enable access to services
- payroll service provider Thomas Westcott
- Bright Pay Connect
- Bright HR
- Scottish Widows Pensions
- HMRC
- GDPRiS

Our legal basis

The main legal bases we rely on when we process employee personal information are as follows:

- **It is necessary for us to perform a task which is in the public interest or to exercise our official duties as a Trust**
This broad legal basis is applicable to almost all the processing we do involving personal data.
- **It is necessary for compliance with a legal obligation**
This is applicable where a specific law requires us to collect or share personal data. This includes sharing data with the Department for Education (DfE), Her Majesty's Revenue and Customs (HMRC) and HM Courts and Tribunal Service.
- **It is necessary for the performance of a contract**
This is applicable when we enter into a contract with you, our employee.
- **The data subject has given their consent**
Consent is not required for most of the processing we do, however, there are occasions when we ask for consent. For example, if we want to publish your photograph (close up image) on our website, social media or marketing material. Where we are processing your data with your consent, you have the right to withdraw that consent. If

you change your mind, or if you are unhappy with our use of your personal data, please let us know by contacting the Trusts Data Protection Lead Officer.

- **The processing is necessary to protect the vital interests of the data subject or someone else**

This is applicable where a person's life could be at risk and we need to share or make available information to help them. This could involve sharing serious allergy information with other staff, paramedics (or other medical professionals), or other information requested by the police or social services, to assist them in their enquiries to protect that person.

When we process 'special category' data, we must have another legal basis. Special category data is personal data which reveals a person's racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, genetic data, biometric data (such as fingerprints), health, sex life or sexual orientation. The main legal bases we rely on when we process this type of data is as follows:

- **The data subject has given explicit consent**

This is usually applicable where we ask for health or dietary information.

- **The processing is necessary for performing any right or obligation which is imposed on the Trust in relation to employment, social security and social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud)**

This is usually applicable where we are performing our duties under employment related laws e.g. in relation to health and safety, equality or tax or where we have taken action to safeguard individuals at risk.

- **It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent**

This could be relied upon in situations where someone has become seriously ill on our premises and we are asked by medical practitioners (such as paramedics), to share information we know about that person's health or allergies.

- **The processing is necessary for the establishment, exercise or defence of legal claims**

We may share or use special category data where legal action is being considered or underway.

- **The processing is necessary in the substantial public interest**

This may be relied upon in circumstances where our processing is necessary to safeguard children or others at risk or where we respond to requests from the Police or law enforcement bodies, to assist in an investigation to prevent or detect an unlawful act.

- **The processing is necessary for the assessment of the working capacity of the employee**

This will be applicable where an employee has been absent from work due to illness or injury and we need to assess whether they are fit to return to work.

This list is not exhaustive.

How we protect your information

We take our security responsibilities seriously in order to protect your personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to our data is on a strict need to know basis
- Our electronic records are held on encrypted servers
- We use up to date virus and malware protection software; security patches are applied promptly and we back up our data regularly
- Our sensitive paper files are locked away with restricted access to the keys
- Our employees, volunteers and trustees are subject to Disclosure and Barring Service (DBS) checks and employee contracts contain confidentiality clauses
- We have policies, procedures and training around data protection, security, record disposal and confidentiality
- We have strict visitor management security procedures in place
- We use encrypted email or secure file sharing platforms to share personal data with external organisations
- We carry out due diligence checks on our service providers and Data Protection Impact Assessments, where required.

Storing personal data

The personal information we collect and store is essential for our Trust's operational use. We only keep personal information for as long as we need to, and where it is necessary to comply with any legal, contractual, accounting or reporting obligations. After this period, we delete or securely destroy personally identifiable data.

For more information about how long we keep personal data for, see our record retention schedule.

Your data protection rights

You have the following rights under the data protection laws:

Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications, which you have previously opted-in to receiving.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at info@tborg.org. If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns> Further information about your data protection rights, can be found on the Information Commissioner's Office website at www.ico.org.

Contact Us

There are many ways you can contact us, including by phone, email and post. Our contact details are as follows:

Breakthrough Transformation Trust
Cannamore Farm
Avonwick
South Brent
TQ10 9HA

Email: info@tborg.org

Tel: 01626 911 456

If you would like to make a request or complaint, please contact us. You are not required to pay a fee for exercising your rights and we have one month to respond to you.

Data Protection Officer

Our Data Protection Officer (DPO) is Amber Badley, an external consultant appointed under a service contract. If you have any queries about this privacy notice or any matter relating to the handling of your personal data, you can contact our DPO directly at DPO@firebirdltd.co.uk or by writing to the school at info@tborg.org

Changes to this privacy notice

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 9th July 2020