

Employees Privacy Notice:

How we use your information

This privacy notice was updated on the 26 September 2023 and should be read alongside our main privacy notice on our website at www.thedeafacademy.ac.uk

Your privacy is important to us. This privacy notice explains the personal data we process, how we process it and for what purpose.

This notice applies to current and former employees, volunteers, work experience/placement students and contractors.

Data controller details

The Academy is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

The Deaf Academy
1 Douglas Avenue
Exmouth
EX8 2AU

Data protection principles

In relation to your personal data, we will:

- Process it fairly, lawfully and in a clear, transparent way
- Collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- Only use it in the way that we have told you about
- Ensure it is correct and up to date
- Keep your data for only as long as we need it
- Process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

Types of data we process

We hold many types of data about you, including:

- Your personal details (such as your name, address, date of birth, email address, phone numbers, national insurance number, car registration number)
- Your photograph
- Characteristics information (such as gender, age, ethnic group)
- Marital status
- Dependants, next of kin and their contact numbers
- Death in service nomination form
- Medical or health information (including COVID-19 information) including whether or not you have a disability
- Information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin

- Information included on your application form/CV including references, education history and employment history
- Notes taken during the recruitment process
- Documentation relating to your right to work in the UK
- Documentation confirming your address
- Driving licence (if applicable)
- Bank details
- Tax codes
- Contract information (such as current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us)
- Letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings
- Internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms, supervision forms.
- Leave records including annual leave, family leave, sickness absence etc
- Details of your criminal record
- Outcome of your Enhanced Disclosure and Barring Service check (DBS) and certificate number and date
- List 99/Barred list check
- Details regarding any disclosures made during the Enhanced DBS check
- Allegations of concerns about child protection or safety
- Training details
- Qualification certificates
- Your image captured on our CCTV system when you are on school premises
- Photographs and video recordings of you (such as official school photographs, classwork activities, performances or events, school trips and sports days)
- Dates and times on Academy premises captured by the visitor management system
- Your consent preferences

How we collect your data

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in an application form, or notes made by our staff during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references.

Personal data is kept in personnel files or within the Academy's HR and IT systems.

Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- In order to perform the employment contract that we are party to
- In order to carry out legally required duties
- In order for us to carry out our legitimate interests
- To protect your interests and
- Where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Carry out the employment contract that we have entered into with you and
- Ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- Ensuring tax and National Insurance is paid
- Carrying out checks in relation to your right to work in the UK and
- Making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Academy. We have set these out below:

- Safeguard our students from potential risk and harm.
- Making decisions about who to offer initial employment to, and subsequent internal appointments, promotions etc
- Making decisions about salary and other benefits
- Providing contractual benefits to you
- Maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- Effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises
- Offering a method of recourse for you against decisions made about you via a grievance procedure
- Assessing training needs
- Enable the development of a comprehensive picture of the workforce and how it is deployed
- Implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments
- Gaining expert medical opinion when making decisions about your fitness for work
- Managing statutory leave and pay systems such as maternity leave and pay etc
- Business planning and restructuring exercises
- Deal with complaints, grievances and disciplinary action
- Dealing with legal claims made against us
- Preventing fraud

- Ensuring our administrative and IT systems are secure and robust against unauthorised access
- 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

Special categories of data

Special categories of data are data relating to your:

- Health
- Sex life
- Sexual orientation
- Race
- Ethnic origin
- Political opinion
- Religion
- Trade union membership
- Genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- You have given explicit consent to the processing
- We must process the data in order to carry out our legal obligations
- We must process data for reasons of substantial public interest
- You have already made the data public.

We will use your special category data:

- For the purposes of equal opportunities monitoring
- In our sickness absence management procedures
- To determine reasonable adjustments
- To safeguard our students from risk and harm

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

Criminal conviction data

We collect criminal conviction data due to the environment we work in as the law permits us. This data will be collected at the recruitment stage and during your employment.

We process this data because of our legal obligation to and to ensure that the appropriate people work with our students.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of employment. If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g. ensuring you are paid correctly. We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with this information e.g. confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a DBS check.

Sharing your data

Your data will be shared with colleagues within the Academy where it is necessary for them to undertake their duties. This includes, for example, your line manager for their management of you, the HR department for maintaining personnel records and the payroll department for administering payment under your contract of employment.

We share your data with third parties in order to:

- Obtain references as part of the recruitment process.
- Perform the enhanced DBS check
- Allow you to attend specific training/to obtain qualifications
- Process your pay and other employee benefits.
- Ensure you are paid under the correct tax code
- Report any work related accidents

We may also share your data with third parties as part of a Academy sale or restructure, or for other reasons to comply with a legal obligation upon us.

We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. This includes ensuring appropriate training for staff who deal with personal data, the implementation of a Data Protection policy, the appointment of a Data Protection Officer and ensuring that both soft and hard copy data is stored in secure environments.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least seven years after your employment has concluded.

If concerns have been raised about an employee's behaviour around our students, their personnel file will be retained until they reach normal retirement age or for 10 years - whichever is longer.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- The right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- The right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. Details of this process can be obtained from the Human Resources department.
- The right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- The right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- The right to portability. You may transfer the data that we hold on you for your own purposes
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- The right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Human Resources Manager.

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 employment@thedeafacademy.ac.uk

If you would like to make a formal complaint, our complaints policy and procedure is available on the Academy's website, www.thedeafacademy.ac.uk, under Policies and Reports Section.

Data Protection Officer

The Academy's Data Protection Officer is Firebird Data Protection Consultancy Limited, an external company who performs the role 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 through the Academy at reception@thedeafacademy.ac.uk or directly at DPO@firebirdltd.co.uk

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 26 September 2023.