

Data Protection Privacy Notices Fairfax Multi-Academy Trust

Document Owner:	Robert Fitzgerald, I&S Manager & DPO
Ratified By:	Robert Fitzgerald, I&S Manager & DPO
Date Ratified:	October 2020
Review Date:	October 2021



Contents

Page 3	Recruitment Privacy Notice
Page 7	Parent / Carer Privacy Notice
Page 9	Pupil Privacy Notice
Page 13	Workforce Privacy Notice



Recruitment Privacy Notice

1. Policy Statement

We are Fairfax Multi-Academy Trust. As part of your application to join us, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their “personal data”. This will include data that we obtain from you directly and data about you 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 the recruitment process, even if you are unsuccessful. Anything that we do with an individual's personal data is known as “processing”.

This document sets out what personal data we will gather and hold about individuals who apply for a position with us, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

2. What information do we process during your application process?

We may collect, hold, share and otherwise use the following information about you during your application process.

- your name and contact details (i.e. address, home and mobile phone numbers, email address);
- details of your qualifications, training, experience, duties, employment history (including job titles, salary, relevant dates and working hours), details of driving licence (if relevant for role), membership of professional bodies and interests;
- your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- information regarding your criminal record;
- details of your referees;
- whether you are related to any member of our workforce; and
- details of any support or assistance you may need to assist you at the interview because of a disability.
- information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers;*
- confirmation of your academic and professional qualifications (including seeing a copy of certificates);*
- information via the DBS process, regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs), whether you are barred from working in regulated activity;*



- your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;*
- medical check to indicate fitness to work;*
- a copy of your driving licence (or other appropriate documentation as listed on the Home Office list);*
- if you are a teacher, we will check the National College of Teaching and Leadership ("NCTL") Teachers Services about your teacher status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts and EEA teacher sanctions);* and
- equal opportunities' monitoring data.

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked (*) above to us to enable us to verify your right to work and suitability for the position. Without providing us with this information, or if the information is not satisfactory, we will not be able to proceed with any offer of employment.

If you are employed by us, the information we collect may be included on our Single Central Record. In this scenario, a further privacy notice in relation to data we collect, process, hold and share about you during your time with us, will be issued to you.

3. Where do we get information from about during your application process?

Depending on the position that you have applied for, we may collect this information from you, your referees (details of whom you will have provided), your education provider, any relevant professional body, the Disclosure and Barring Service (DBS), NCTL and the Home Office, during the recruitment process.

4. Why do we use this information?

We will process your personal data during your application process for the purpose of complying with legal obligations, carrying out tasks which are in the public interest, and taking steps with a view to entering into an employment contract with you. This includes:

- to assess your suitability for the role you are applying for;
- to take steps to enter into a contract with you;
- to check that you are eligible to work in the United Kingdom or that you are not prohibited from teaching; and
- so that we are able to monitor applications for posts in the Trust to ensure that we are fulfilling our obligations under the public-sector equality duty under the Equality Act 2010.



5. How long will we hold information in relation to your application?

We will hold information relating to your application only for as long as necessary. If you are successful, how long we need to hold on to any information will depend on type of information.

If you are unsuccessful, we will hold your personal data only for six months, after which time it is securely deleted and destroyed.

6. Who will we share information with about your application?

We will not share information gathered during your application process with third parties, other than professional advisors such as legal and HR advisors, referees.

7. Rights in relation to your personal data

All individuals 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 the Data Protection Officer.

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

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

- Object to the processing of their personal data
- 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
- Claim compensation for damage caused by a breach of their data protection rights

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

8. Concerns

If an individual has any concerns about how we are using their personal data, 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/>.



9. Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer on dpo@fmat.co.uk or by post:

FAO Data Protection Officer, Fairfax Multi-Academy Trust, Fairfax Road, Sutton Coldfield, Birmingham, B75 7JT

Parent / Carer Privacy Notice

1. Policy Statement

We are Fairfax Multi-Academy Trust, which your Academy is part of. During your child's time with us, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold your personal data for a period of time after your child has left the Trust. 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 you, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

2. What information do we process in relation to you?

We will collect, hold, share and otherwise use the following information about you:

- personal information (such as name, address, home and mobile numbers, personal email address, emergency contact details and relationship marital status)
- financial details (such as bank account or credit card details), and other financial details such as eligibility for free school meals or other financial assistance
- CCTV footage and images obtained when you attend a Trust site
- your relationship to your child, including any Court orders that may be in place

We will also use special categories of data such as gender, age, ethnic group, religious or similar beliefs, information about health and biometric data. These types of personal data are subject to additional requirements.

3. Where do we get your personal data from?

We will obtain an amount of your personal data from you, by way of information gathering exercises at appropriate times such as when your child joins the Trust, and when you attend the Academy site and are captured by our CCTV system.

We may also obtain information about you from other sources. This might include information from the local authorities or other professionals or bodies, including a Court, which might raise concerns in relation to your child.

4. Why do we use your personal data?

We will process your personal data for the following reasons:



1. Where we are required by law, including:
 - To provide reports and other information required by law in relation to the performance of your child
 - To raise or address any concerns about safeguarding
 - To the Government agencies including the police
 - To obtain relevant funding for the Trust
 - To provide or obtain additional services including advice and/or support for your family

2. Where the law otherwise allows us to process the personal data as part of our functions as a Trust, or we are carrying out a task in the public interest, including:
 - To confirm your identity
 - To communicate matters relating to the Trust/Academy to you
 - To safeguard you, our pupils and other individuals
 - To enable payments to be made by you to the Trust/Academy
 - To ensure the safety of individuals on the Trust site
 - To aid in the prevention and detection of crime on the Trust/Academy site

3. Where we otherwise have your consent

Whilst the majority of processing of personal data we hold about you will not require your consent, we will inform you if your consent is required and seek that consent before any processing takes place.

5. Why do we use special category personal data?

We may process special category personal data in relation to you for the following reasons:

1. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
2. Where the processing is necessary in order to ensure your health and safety on a Trust site, including making reasonable adjustments for any disabilities you may have.
3. Where we otherwise have your explicit written consent.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests of those of your child, and where it is not possible to seek your consent.

6. Failure to provide this information

If you fail to provide information to us we may be prevented from complying with our legal obligations.



7. How long will we hold your personal data for?

We will hold your personal data only for as long as necessary. How long we need to hold on to any information will depend on the type of information.

8. Who will we share your personal data with?

We routinely share information about you with:

- Local authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education and/or the Education and Skills Funding Agency, in compliance with legal obligations of the Trust to provide information about students and parents as part of statutory data collections
- Contractors, such as payment processing providers to enable payments to be made by you to the Trust

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>.

Local authorities may share information that we are required to provide to them with other organisations.

Bournville School, Erdington Academy and Fairfax are part of Birmingham City Council . For further information about Birmingham local authority's data sharing process, please visit: <https://www.birmingham.gov.uk/>

Smith's Wood Academy are part of Solihull Metropolitan Borough Council. For further information about Solihull local authority's data sharing process, please visit: <http://www.solihull.gov.uk/>

9. Your rights in relation to your personal data held by us

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 the Data Protection Officer.

Please also refer to our Data Protection Policy for further details on making requests for access to your personal data.

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

- Object to the processing of your personal data
- Have inaccurate or incomplete personal data about you rectified
- Restrict processing of your personal data
- Object to the making of decisions about you taken by automated means
- Have your data transferred to another organisation



- Claim compensation for damage caused by a breach of your data protection rights

If you want to exercise any of these rights then you should contact the Data Protection Officer. 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.

10. Concerns

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

11. Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer at dpo@fmat.co.uk or by post at:

FAO Data Protection Officer, Fairfax Multi-Academy Trust, Fairfax Road, Sutton Coldfield, Birmingham, B75 7JT

Pupil Privacy Notice

1. Why are we giving this to you?

As your school we need to use information about you. We do this for a number of reasons. This form tells you what information we use about you and why we use it. It is very important that information about you is kept safe. We explain below how the school keeps your information safe.

If you want to know anything about what we do with information about you then please ask your teacher, or speak to your parents/guardians and ask them to contact the school. The school wants you to feel free to raise any questions at all.

We also have a person called the Data Protection Officer at the school. They can answer any questions you have about what the school does with your information. If you or your parents/guardian want to speak to them, then you can do by emailing dpo@fmat.co.uk or writing to:

FAO Data Protection Officer, Fairfax Multi-Academy Trust, Fairfax Road, Sutton Coldfield, Birmingham, B75 7JT

2. Policy Statement

We are Fairfax Multi-Academy Trust, which your academy is part of. During your time with us, we will use information that we gather in relation to you for various purposes. Information that we hold in relation to you is known as "personal data". This will include data that we obtain from you directly and data about you which we obtain from other people and organisations. We might also need to continue to hold your personal data for a period of time after you have left the school. Anything that we do with your personal data is known as "processing".



This document sets out what personal data we will hold about you, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

3. What information do we use about you?

We will collect, hold, share and otherwise use information about you set out in the boxes below:

<ul style="list-style-type: none"> Name 	<ul style="list-style-type: none"> Telephone and email contact details 	<ul style="list-style-type: none"> Date of Birth
<ul style="list-style-type: none"> Address 	<ul style="list-style-type: none"> Assessment information 	<ul style="list-style-type: none"> Details of previous/future schools
<ul style="list-style-type: none"> Unique pupil number 	<ul style="list-style-type: none"> Behavioural information 	<ul style="list-style-type: none"> Language(s)
<ul style="list-style-type: none"> Nationality 	<ul style="list-style-type: none"> Country of birth 	<ul style="list-style-type: none"> Eligibility for free school meals
<ul style="list-style-type: none"> Photographs 	<ul style="list-style-type: none"> Attendance information 	<ul style="list-style-type: none"> CCTV images



We will also collect, hold, share and otherwise use some information about you which is special "special category personal data" and we will take extra care to make sure that this is kept safe:

<ul style="list-style-type: none"> Racial or ethnic origin 	<ul style="list-style-type: none"> Religious beliefs 	<ul style="list-style-type: none"> Special educational needs and disability information
<ul style="list-style-type: none"> Medical / health information / dietary requirements 	<ul style="list-style-type: none"> Biometric data 	<ul style="list-style-type: none"> Information relating to keeping you safe

4. Where do we get this information from?

We get this information from:

- You
- Your parents/guardians, and other children's parents/guardians
- Teachers and other staff
- People from other organisations, like doctors or the local authority for example

5. Why do we use this information?

We use this information for lots of reasons, including:

- To make sure that we give you a good education and to support you through this
- To make sure that we are able to address and support any educational, health or social needs you may have
- To make sure everyone is treated fairly and equally
- To keep you and everyone at the school safe and secure
- To deal with emergencies involving you
- To celebrate your achievements
- To provide reports and additional information to your parents/carers

Some of these things we have to do by law. Other things we do because we need to so that we can run the school.

Sometimes we need permission to use your information. This includes taking pictures or videos of you to be used on our website or in the newspaper. Before we do these things we will ask you or if necessary your parent/carer for permission.



6. Why do we use special category personal data?

We may need to use the information about you which is special (mentioned above) where there is a specific interest to do so for example health and social care purposes or to provide you with equal opportunities and treatment. We will also use this information where you have given us permission to do so.

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. How long will we hold information in relation to our pupils?

We will hold information relating to you only for as long as necessary. How long we need to hold on to any information will depend on the type of information. Where you change school we will usually pass your information to your new school.

8. Who will we share pupil information with?

We may be give information about you with:

- Other schools or educational institutions you may attend or require support from Local Authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education and/ or ESFA as required by the law
- Contractors, to enable them to provide an effective service to the school, such as school meal providers or external tutors

9. Keeping this information safe

It is very important that only people who need to use your information can see it. The school keeps your information safe by following our data protection policy and procedures.

10. Your rights in relation to your information

You can ask to see the information we hold about you. If you wish to do this you should contact the Data Protection Officer.

You also have the right to:

- Object to what we are doing with your information
- Have inaccurate or incomplete information about you amended
- Ask us to stop doing certain things with your information in some cases
- Ask that decisions about you are not made using automatic systems
- Claim against the school in certain circumstances where you have suffered as a result of the school breaching your data protection rights



If you feel it necessary to do any of the above, you can speak with the Data Protection Officer. The school does not have to meet all of your requests and we will let you know where we are unable to do so.

11. Concerns

If you are concerned about how we are using your personal data then you can speak with the Data Protection Officer, or if necessary you or your parent/ carer can contact an outside agency - the Information Commissioner's Office who could also help at <https://ico.org.uk/concerns/>.

Workforce Privacy Notice

1. Policy Statement

During an individual's employment with Fairfax Multi-Academy Trust, 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 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.

2. 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, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details)
- contractual information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- 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 (such as training record)
- performance information (such as probation records, appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)



- other information (such as pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the Trust, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the Trust receives or provides to other organisations, CCTV footage and images)

We may also use special categories of data including such as gender, age, ethnic group, sex or sexual orientation, religious or similar beliefs, trade union membership, information about health and biometric data. These types of personal data are subject to additional requirements.

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. 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 publically 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.

4. 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
 - 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



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
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.

5. 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, 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.

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.

6. Failure to provide this information

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

7. 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.



8. Who will we share information with about our workforce?

We routinely share information about our workforce with:

- Local authorities to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education and/or the ESFA 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

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 of process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-andshare-research-data>.

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

9. 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 the Data Protection Officer.

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
- 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
- Claim compensation for damage caused by a breach of their data protection rights
-

If an individual wants to exercise any of these rights, they should contact the Data Protection Officer. The law does not oblige the Trust 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.

10. Concerns

If an individual has any concerns about how we are using their personal data, 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/>.



11. Contact

If you would like to discuss anything in this privacy notice, please contact the Data Protection Officer at dpo@fmat.co.uk or by post:

FAO Data Protection Officer, Fairfax Multi-Academy Trust, Fairfax Road, Sutton Coldfield, Birmingham, B75 7JT

