

LONDON DESIGN & ENGINEERING UTC

Privacy Notice for the UTC's Workforce

London Design & Engineering UTC is committed to protecting the privacy and security of personal information.

This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and is known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all current and former employees, workers and contractors.

Who collects this information?

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

This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

The categories of workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number)
- contact details (such as address, telephone number, mobile number, private

e-mail address, next of kin details)

- special categories of data including characteristics information such as gender, age, ethnic group, religion, disabilities, religion and sexual orientation.
- contract information (such as references, start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- payroll information (bank account details, tax codes, NI contributions, pension contributions)
- any relevant medical information

Why we collect and use this information

The LDE UTC uses school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- support individuals so that they can be develop and excel;
- enable individuals to be paid

The lawful basis on which we process this information

The LDE UTC will collect and process its workforce information under Articles 6 and 9 of the UK General Data Protection Regulation (UK GDPR), which come into force on 25 May 2018 – i.e. under:

- **Consent:** the individual has given clear consent for the LDE UTC to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for drawing up and fulfilling the contract of employment.
- **Legal obligation:** the processing is necessary for the LDE UTC to comply with the law, particularly with regards to safeguarding learners and complying with health and safety requirements.
- **Public task:** the processing is necessary for the LDE UTC to be able to provide appropriate information to both the DfE and ESFA and DfE to comply with requirements (such as the annual School Workforce Census) to be able to continue to operate and receive public funds as a state funded school.

Details of DfE Data Collections can be found at:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

How we use particularly sensitive information

Sensitive personal information (as defined under the UK GDPR as “special category data”) requires higher levels of protection and further justification for collecting, storing and using. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent.

We will use this information in the following ways:

- Collecting information relating to leave of absence, which may include sickness absence or family-related leave;
- To comply with employment and other laws;
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate 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 working for us.

Collecting this information

We may collect this information from you in your application form, but we will also collect information in a number of different ways. This could be through the Home Office, our pension providers, medical and occupational health professionals we engage with, your trade union, and even other employees. Information is also collected through CCTV, access control systems and any IT system the school has in place.

Storing this information

LDE UTC will hold college workforce data for seven years after which it will be destroyed and or deleted safely and confidentially.

Who we share this information with

The LDE UTC will routinely share this information with:

- the Department for Education (DfE)
- the Education and Skills Funding Agency

Why we share school workforce information

The LDE UTC will not share information about workforce members with anyone without consent unless the law and its policies allow it to do so.

Department for Education (DfE)

The LDE UTC will share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment.

The LDE UTC is required to share information about its students with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies, free schools, UTCs and all

special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

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

The Department 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 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 DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact:

- **Ghulam Abbas**
- **E-mail:** ghulam.abbas@ldeutc.co.uk
- **Tel:** 020 3019 7333

You also have the right to:

- object to the 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
- claim compensation for damages caused by a breach of the Data Protection regulations

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

Further information

If you would like to discuss anything in this privacy notice, please contact:

- **Ghulam Abbas**
- **E-mail:** ghulam.abbas@ldeutc.co.uk
- **Tel:** 020 3019 7333

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by Ghulam Abbas, then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Web: www.judiciumeducation.co.uk

Lead Contact: Craig Stilwell