



**Acorn Pre-School & The Mighty Oaks Privacy Notice - Employees**

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**Introduction**

Acorn Pre-School & The Mighty Oaks are committed to ensuring that any personal data we hold about you is protected in accordance with data protection laws and is used in line with your expectations.

This privacy notice explains what personal data we collect, why we collect it, how we use it and how we protect it.

**What personal data do we collect?**

We collect personal data about you to manage the employment relationship you have with us. Personal details that we collect about you includes:

- your name, address, date of birth, gender, telephone number, emergency contact details
- your marital status and dependants
- work and employer history, qualifications and training
- your membership of any professional bodies
- your bank account details, National Insurance number, and tax code
- information on health and medical conditions
- your right to work in the UK
- your criminal record
- your work pattern and periods of leave
- concerns, complaints (only if applicable)
- performance related data
- informal and formal action taken, warnings and related correspondence (only if applicable)
- equal opportunities monitoring

We collect this information from your application form/CV, starter forms, copies of documents you provide, during meetings held with you and through other correspondence (if relevant). We may also collect information from third parties, references from previous employers and criminal record checks from the DBS.

**Why we collect this information and the legal basis for handling your data**

We use personal data about you in order to fulfil the employment contract you have entered into. This includes using your data to:

- fulfil the terms of our employment relationship with you
- pay your salary

We also process your personal data in line with our legitimate interest for the following reasons:

- maintain accurate records, including emergency contact details
- to implement our employment policies and procedures and keep appropriate records
- to keep record of absences
- to ensure effective management of employee related issues
- planning, management and forecasting regarding the setting

We also process certain categories of data to comply with legal obligations. This includes:

- information on health and medical conditions
- information relating to criminal records
- certain types of leave for example sickness, maternity, paternity, etc., and to make appropriate payments

With your consent we may wish to take photographs of you to promote the setting. If this is the case we will ask for your consent in writing and provide further details. You will also have the right to withdraw your consent at any time.

### **Who we share your data with**

In order for us to fulfil the terms and conditions of our employment relationship and to meet our legal obligations we will also share your data as required with the following categories of recipients:

- Ofsted as part of the recruitment and inspection process
- the Disclosure and Barring Service (DBS) to establish suitability for employment in the setting
- an umbrella body that is able to process DBS applications on my/our behalf
- DBS records with other organisations allowing you to complete work on their premises
- with our payroll processor, in order to pay your salary
- HMRC for taxation purposes
- banking services to pay your salary
- to comply with automatic enrolment pension obligations
- our insurance underwriter, if you have an accident at work
- with parents and service users so that they have an understanding of your qualifications and experience
- organisations providing accreditation such as Millies Mark, Healthy Workforce
- organisation providing training, to show current qualifications and experience

We will also share your data if:

- We are legally required to do so, for example, by law, by a court or the Charity Commission
- to enforce or apply the terms and conditions of your contract with us
- to protect a child or children, for example by sharing information with the Local Authority Designated Officer, social care or the police
- it is necessary to protect our or others rights, property or safety
- with our legal advisor where it is necessary to apply the terms and conditions of your employment contract or where there is a dispute
- We transfer the management of the setting, in which case we may disclose your personal data to the prospective buyer so they may continue the service in the same way
- To comply with Safeguarding requirements

We will never share your data with any other organisation to use for their own purposes.

### **How do we protect your data?**

We protect unauthorised access to your personal data and prevent it from being lost, accidentally destroyed, misused, or disclosed by:

Using internal process and strict controls to ensure access is restricted to key individuals. Electronic systems storing information have two factor authentication, and where paper records are stored these are kept in locked storage with only key individuals having access to the information for legitimate reasons.

### **How long do we retain your data?**

We retain your personal data for the time period necessary to process your employment and comply with our legal obligation. This includes the following:

- records – 6 years after employment ceases

- wages/salary records (including overtime, bonuses, expenses) – 6 years
- statutory Maternity Pay (SMP) records – 6 years after the end of the tax year in which the maternity period ends
- Income Tax and National Insurance returns/records – at least 6 years after the end of the tax year to which they relate
- staff accident records and reportable health and safety incidents – 3 years after the date of the last entry
- accident/medical records as specified by the Control of Substances Hazardous to Health regulations (COSHH) 2002 – 40 years from the date of the last entry

For further information see our Retention Policy and Chart

### **Automated decision-making**

We do not make any decisions about you based solely on automated decision-making.

### **Your rights with respect to your data**

You have the right to:

- request access, amend or correct your personal data
- request that we delete or stop processing your personal data, for example where the data is no longer necessary for the purposes of processing
- request that we transfer your personal data to another person

If you wish to exercise any of these rights at any time or if you have any questions, comments or concerns about this privacy notice, or how we handle your data please contact us. If you continue to have concerns about the way your data is handled and remain dissatisfied after raising your concern with us, you have the right to complain to the Information Commissioner Office (ICO). The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or [ico.org.uk/](https://ico.org.uk/)

### **Changes to this notice**

We keep this notice under regular review. You will be notified of any change changes where appropriate