

## PRIVACY NOTICE FOR STAFF

In the course of your work undertaken for the School, we will collect, use and hold (“process”) personal information relating to you as a member of our staff or wider school team, regardless of your employment status. This makes the School a data controller of your personal information, and this Privacy Notice sets out how we will use that information and what your rights are.

### 1 Who this document applies to

Academic and other staff, contractors, visiting music teachers and other peripatetic workers, casual workers, temps, and volunteers who may be employed or engaged by the School to work for it in any capacity, as well as prospective applicants for roles. It also applies to Governors.

Please note that any references to ‘employment’, ‘staff’ etc. in this Notice are not intended to imply or confer any employment rights on you if you are a contractor, non-employed worker, or job applicant, even if the Notice is relevant to how we process your personal information.

This notice is not aimed at pupils, or parents of pupils (whether current, past or prospective) or other members of the public. This information may be found in the School’s *Privacy Notice*, *Privacy Notice for Students* or *Privacy Notice for Alumni*, which provide further details about how such personal information will be used by the School. Nor does it inform staff how to handle the personal information of the same, which is covered by the School’s *Data Protection Policy*.

### 2 About this document

This Privacy Notice for Staff explains how the School collects, uses and shares (or ‘processes’) personal information of staff, and your rights in relation to the personal information we hold.

This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies that may (depending on your role and status) apply to you, including:

- any contract between the School and its staff, such as the Terms & Conditions of employment, and any applicable staff handbook
- the School’s CCTV and/or biometrics policy
- the School’s retention of records policy
- the School's safeguarding, pastoral, anti-bullying, or health and safety policies, including as to how concerns or incidents are reported or recorded (both by and about staff); and
- the School's IT policies, including its *Acceptable Use policy*, *Social Media policy* and *Email & Internet policy*

Please note that your contract with or engagement by the School, including any document or policy forming a part of your contractual obligations to the School, may in particular be relevant to (and supplement the information in) this *Privacy Notice for Staff*, to the extent that it will contain details of obligations or rights of the School under contract with you which may require the use of your personal information. However, this *Privacy Notice for Staff* is the primary document in terms of how we notify you about the use of your personal information by the School.

This *Privacy Notice for Staff* also applies alongside any other information the School may provide about particular uses of personal information, for example when collecting information via an online or paper form.

### 3 How we collect your information

We may collect your personal information in a number of ways, for example:

- when you submit a formal application to work for us, and provide your personal information in application forms and covering letters, etc
- when you attend an interview, we will make a written record of responses to questions; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), or (if you are a contractor or a substitute) your own employer or agent, in order to verify details about you and/or your application to work for us

More generally, during the course of your employment with us, as a member of staff, we will collect information from or about you, including:

- when you provide or update your contact details
- when you or another member of staff completes paperwork regarding your performance appraisals
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on School systems
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below

#### **4 The types of information we collect**

We may collect the following types of personal information about you (and your family members and 'next of kin', where relevant). The aspects identified with \* are required as a contractual obligation and without these we would be unable to enter into a contract of employment with you:

- contact and communications information, including:
  - your contact details (including email address(es), telephone numbers and postal address(es);\*
  - emergency contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Privacy Notice;\*
  - records of communications and interactions we have had with you;
- biographical, educational and social information, including:
  - your name, title, gender, nationality and date of birth;\*
  - marital status and dependents;
  - your image and likeness, including as captured in photographs taken for work purposes;
  - copies of right to work documentation and ID e.g. passport or driving licence;\*
  - details of your education and references from your institutions of study;
  - lifestyle information and social circumstances;
  - your interests and extra-curricular activities;
- financial information, including:
  - payroll records
  - your bank account number(s), name(s) and sort code(s) (used for paying your salary or invoices and processing other payments)\*
  - salary and annual leave entitlement
  - your tax status (including residence status)
  - results of HMRC employment status check, details of your interest in and connection with any intermediary through which your services are supplied
  - Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings)

- information related to pensions, national insurance, or employee benefit schemes;
- compensation history
- work related information, including:
  - details of your work history and references from your previous employer(s)\*
  - employment records including job titles, working hours, holiday and training records
  - start date and, if different, the date of continuous employment
  - performance information
  - disciplinary and grievance information
  - CCTV footage and other information obtained through electronic means such as swipe card records
  - Information about your use of our information and communications systems
  - leaving date and your reason for leaving
  - your personal information captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the School
  - details of your professional activities and interests
  - your involvement with and membership of sector bodies and professional associations
  - information about your employment and professional life after leaving the School, where relevant (for example, where you have asked us to keep in touch with you)
- any other information relevant to your employment or other engagement to work for the School.

Where this is necessary for your employment or other engagement to work for us, we may also collect special categories of information, and information about criminal convictions and offences, including:

- information revealing your racial or ethnic origin
- trade union membership, where applicable
- information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment)
- biometric information, for example where necessary for school security systems
- information concerning your sexual life or orientation (for example, in the course of investigating complaints made by you or others, for example concerning discrimination); and
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations)

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your employment or other engagement to work for the School.

<b>5 What we use your information for and the lawful grounds we rely on</b>
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Some of the purposes for which we use your personal information will fall under several different lawful grounds but we have set out the predominant grounds below.

### **5.1 Entering into, or fulfilling, our contract with you**

We process your personal information because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, such as a contract of employment or other engagement with us. In this respect, depending on your role and status, we are likely to use your personal information for the following purposes:

- administering job applications and, where relevant, offering you a role with us
- carrying out due diligence checks on you, whether during the application process for a role with us or during your engagement with us, including by checking references in relation to your education and your employment history
- carrying out checks with the Disclosures and Barring Service, for safeguarding purposes;
- checking you are legally entitled to work in the UK
- determining the terms on which you work for us
- determining whether your engagement is deemed employment for the purposes of Chapter 10 of Part 2 of the Income Tax (Earnings and Pensions) Act 2003 (ITEPA 2003) and providing you with a status determination statement in accordance with the applicable provisions of ITEPA 2003
- once you are employed or engaged by us in any capacity, to administer the contract we have entered into with you
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us
- enrolling you in a pension arrangement in accordance with our statutory automatic enrolment duties
- monitoring your attendance and your performance in your work, including in performance appraisals; and
- for any other reason or purpose set out in your employment or other contract with us.

## 5.2 Legitimate Interests

We process your personal information because it is necessary for our (or sometimes a third party's) legitimate interests. Our 'legitimate interests' include our interests in running the School in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, depending on your role and status, we are likely to use your personal information for the following:

- providing you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us)
- for security purposes, including by operating security cameras in various locations on the School's premises
- to enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate
- to provide education services to pupils
- to safeguard pupils' welfare and provide appropriate pastoral care
- for making decisions about salary reviews and compensation
- for assessing qualifications for a particular job or task, including decisions about promotions
- for making decisions about your continued employment or engagement
- for making arrangements for the termination of our working relationship
- for dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- to carry out or cooperate with any school or external complaints, disciplinary or investigatory process
- for the purposes of management planning and forecasting, research and statistical analysis
- in connection with organising events and social engagements for staff
- making travel arrangements on your behalf, where required

- contacting you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work, etc
- publishing your image and likeness in connection with your employment or engagement with us
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's policies
- promoting the School to prospective parents and others, including by publishing the work product(s) you create while employed by or otherwise engaged to work for the School
- for disciplinary purposes, including conducting investigations where required
- for other administrative purposes, for example to update you about changes to your terms and conditions of employment or engagement, or changes to your pension arrangements; and
- for internal record-keeping, including the management of any staff feedback or complaints and incident reporting

### **5.1 Legal Obligations**

We also process your personal information for our compliance with our legal obligations, notably those in connection with employment, charity/company law, tax law and accounting, and child welfare. In this respect, depending on your role and status, we are likely to use your personal information for the following:

- to meet our legal obligations (for example, relating to child welfare, social protection, diversity, equality, and gender pay gap monitoring, employment, and health and safety)
- for tax and accounting purposes, including transferring personal information to HM Revenue and Customs to ensure that you have paid appropriate amounts of tax, and in respect of any Gift Aid claims, where relevant
- for the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities

### **5.3 Special categories of information**

Depending on your role and status, we process special categories of personal information (such as information concerning health, religious beliefs, racial or ethnic origin, sexual orientation or union membership) for the reasons set out below:

- your physical or mental health or condition(s) in order to record sick leave and take decisions about your fitness for work, or (in emergencies) act on any medical needs you may have
- recording your racial or ethnic origin in order to monitor our compliance with equal opportunities legislation
- trade union membership, in connection with your rights as an employee, agent or contractor and our obligations as an employer or engager of your services
- categories of your personal information which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment
- information about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the DBS, or where it is necessary to record or report an allegation (including to police or other authorities, with or without reference to you)

We will process special categories of personal information for lawful reasons only, including because:

- you have given us your explicit consent to do so, in circumstances where consent is appropriate
- it is necessary to protect your or another person's vital interests, for example, where you have a life-threatening accident or illness in the workplace and we have to process your personal information in order to ensure you receive appropriate medical attention
- where we need to carry out our legal obligations or exercise rights in connection with your employment
- it is necessary for some function in the substantial public interest, including equal opportunities monitoring, the safeguarding of children or vulnerable people, or as part of a process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations); or
- it is necessary for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you

In addition, we will not carry out any automated decision-making or profiling of you.

## **6 Sharing your information with others**

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal information with certain third parties. We may disclose limited personal information (including in limited cases special category or criminal information) to a variety of recipients including:

- agents and contractors (e.g. third parties processing information on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc.)
- the company through whom we carry out checks with the Disclosures and Barring Service
- other relevant authorities and agencies such as the Department for Education, the Information Commissioner's Office, Charity Commission and the local authority who may legitimately require us to report information to them
- external auditors or inspectors
- our advisers, including insurers, lawyers, accountants, or other external consultants, where it is necessary for us to obtain their advice or assistance
- third parties and their advisers if
  - those third parties are acquiring or considering acquiring all or part of our School/business; or
  - we are reconstituting or setting up some form of joint working or partnership arrangement in the UK or abroad
- when the School is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or police.

We may also share information about you with other employers in the form of a reference, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations. References given or received in confidence may not be accessible under your GDPR rights.

## **7 International transfers of personal information**

We do not normally transfer your information to a country which is outside the United Kingdom. If this were necessary, we will be very careful to make sure that it is safe to transfer your information. We will, for example, look at whether that other country has good data protection laws. If we cannot be sure that it is safe, then we will talk to you about it and make sure that you

are happy for us to send your information. As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now but if we want to transfer your information to a different country then we will tell you whether or not we think it is safe and why we have decided that.

## **8 How long your information is kept**

Personal information relating to unsuccessful job applicants is deleted within one year of the end of the application process, except where we have notified you we intend to keep it for longer (and you have not objected).

Subject to any other notices that we may provide to you, we may retain your personal information for a period of seven years after your contract has expired or been terminated. The same periods will be applicable to both employees and governors.

However, some information may be retained for longer than this, for example incident reports and safeguarding files, in accordance with specific legal requirements. Please see our *Data and Records Retention policy* for further details.

## **9 Your rights**

You have the following rights:

- to obtain access to, and copies of, the personal information that we hold about you
- to require us to correct the personal information we hold about you if it is incorrect
- to require us (in certain circumstances) to erase your personal information
- to request that we restrict our data processing activities
- to withdraw consent
- to request that we provide you or any third party that you identify with a copy of your personal information in a commonly used, machine readable format
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. The School will endeavour to respond to any such requests as soon as is reasonably practicable and in any event within statutory time-limits, currently set at one month. However, we may extend this time limit by up to an additional two months where this is justified because your request is complex or you have submitted multiple requests at one time.

Should you wish to exercise any of your rights in relation to your personal information as set out above, it would be helpful if such requests were made in writing to the School's Data Protection Lead (Mr Julius Sidwell, Vice Principal). However, any such requests may be made verbally instead of in writing, should that be an individual's preference.

## **10 This notice**

The School will update this *Privacy Notice for Staff* from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

## **11 Contact and complaints**

If you have any queries about this privacy notice or how we process your personal information, or if you wish to exercise any of your rights under applicable law, you should contact the School's Data Protection Lead, Mr Julius Sidwell, Vice Principal.

If you are not satisfied with how we are processing your personal information, or how we deal with your complaint, you can make a complaint to the Information Commissioner: [www.ico.org.uk](http://www.ico.org.uk). The ICO does recommend you seek to resolve any issues with the data controller (the School) initially prior to any referral.