

PRIVACY NOTICE FOR STAFF

Introduction

This notice is to help you understand **how** and **why** St Edward's School collects personal information about you and **what** the School does with that information. It also explains the decisions that you can make about your own information.

This notice is aimed at all School staff (including Governors, volunteers and certain contractors) and applicants for employment vacancies.

This privacy notice does not form part of your contract of employment and the School may amend this notice at any time. It will be regularly reviewed and up dated in accordance with changes in legislation.

What is personal information?

Personal information is information which is about you and from which you can be identified. This includes your contact details, next of kin and financial information. We may also hold information such as your religion or ethnic group. CCTV recordings, photos and video recordings of you are also personal information.

What personal information does the School hold about you and how is this obtained?

Set out below are examples of the personal information the School holds about you and where this personal information comes from.

We will hold information about you gathered during the recruitment process:

- such as information about your education, qualifications and professional achievements;
- you will provide certain information to us, for example, on your application form and during any interviews; and
- we will receive your personal information (from you and third parties) when we carry out pre-employment checks, for example, when we receive references, confirmation of your fitness to work, your right to work in the UK and criminal records checks.

We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.

We will hold and use your financial information, such as, your bank details, your salary and pension details.

We will hold information about any physical or mental health condition you may have which is disclosed to the School during the recruitment process or at any stage during your employment.

We may hold information about any protected characteristics you may have (e.g. a disability) which you provide.

Your personal information may be created internally by the School during the course of your employment. An email from the Warden to a member of staff complimenting them on class management would be an example of this.

Your personal information may be acquired from outside the School community such as from public authorities such as the Police or the Local Authority Designated Officer.

Pupils may provide us with your personal information, for example, if a pupil emails their form teacher to say how much you are helping them with their work.

Why does the School use your personal information?

We commonly use personal information for:

- ensuring that we provide a safe and secure work environment;
- providing employment services (such as payroll and references);
- providing training and support;
- protecting and promoting the School's interests and objectives;
- personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer (e.g. to pay staff and to monitor their performance);
- safeguarding and promoting the welfare of all staff and pupils; and
- fulfilling our contractual and other legal obligations.

Some specific examples of when the School uses your personal information are set out below:

- we use your personal information to consider your suitability to work in your role at the School;
- we will use your personal information in addressing performance or disciplinary concerns;
- we will use information relating to any medical condition you may have in order to verify fitness to work, monitor sickness absence and comply with our duty of care towards you;
- we may publish your name and School email address on our website to assist in directing parents to the right individual in the School;
- we may use photographs and video recordings of you for marketing and promotion purposes including in School publications, in social media and on the School website;
- we may publish your name, place and subject of further education study on our website for marketing and promotion purposes including in School publications and on the School website;
- we may also allow external publication of certain media where appropriate (e.g. a photograph or article in a local newspaper);
- we may sometimes use contractors to handle personal information on our behalf;
- we may use your personal data including CCTV recordings for the purposes of crime prevention and investigation and also in connection with our obligation to safeguard the welfare of pupils, staff and visitors to the School site. Further information about the use of CCTV can be found in the School's CCTV Policy;
- we may monitor and access the School's IT and communications systems for the following purposes connected with the operation of the School;
 - the safeguarding of pupils and staff;
 - detection and prevention of crime and systems misuse;
 - information security and adherence to data protection legislation;
 - regulatory compliance;

- performance of systems, troubleshooting, incident handling and capacity planning; and
- usage for cost allocation and environmental monitoring.

Further information about the monitoring of IT and communication systems can be found in the School's IT Monitoring Policy.

How does the School share staff personal information with third parties?

We will need to share your information with the Disclosure and Barring Service (DBS) or the Teaching Regulation Agency (TRA) when carrying out safer recruitment checks or in making a referral to the DBS or the TRA.

Occasionally we may use consultants, experts and other advisors (including legal advisors) to assist us in fulfilling our obligations and to help run the School properly. We might need to share your information with them if this is relevant to the work they carry out.

In accordance with our legal obligations, we may share your information with the Independent Schools Inspectorate, for example, during the course of an inspection, and we may need to share your information with the Department for Education or an exam board regulator.

As an employer we must check if you can work in the UK before we employ you. If you are employed by us under Tier 2 or Tier 5 we might have to provide information about you to UK Visas and Immigration to comply with our duties as a Tier 2/5 sponsor.

We may share some of your information with our insurance company or benefits providers, for example, where there is a serious incident at the School.

We may share personal information about staff with the relevant statutory agencies who may need this information to investigate allegations of misconduct.

We may need to share your information with the Police for the prevention and investigation of crime and the prosecution of offenders.

We may need to share your information if there is an emergency, for example, if you are injured while on School premises.

Any information which falls under the definition of 'Personal Data' as defined under the General Data Protection Regulation (GDPR), and is not otherwise exempt, will remain confidential and will be disclosed to third parties only with the consent of the appropriate individual or under the terms of this Notice.

How do we transfer your data?

Personal data transfers outside the School are carefully considered and all steps are taken to ensure the security of the data. Data is only transferred to trusted organisations.

However, circumstances may arise where this data is shared with colleagues without gaining your consent. This will only occur if it is necessary to protect your vital interests or the vital interests of another person, or for certain other reasons where it is not possible or appropriate to gain your consent such as relating to equality monitoring, disclosures to the police for prevention or

detection of crime, government departments and agencies where we have a statutory obligation to provide information.

For how long do we keep your data?

We have a duty to retain personal data for a period of time mainly for legal and other legitimate reasons, and also for other purposes such as being able to provide references.

We keep your information for as long as we need to in relation to your employment. We will keep some information after you have left the School in case this is needed, for example, in relation to our legal obligations.

In some circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection legislation.

We may keep some information about you indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School.

To find out for how long we keep different types of your information please refer to the School's Data Retention Policy.

What are your rights?

From 25th May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- you have the right to request access to information about you that the School holds, within a reasonably practical timescale in line with the latest legislation. Such a request should be made in writing to the School's Data Protection & Compliance Manager;
- if information is incorrect you can ask us to correct it;
- you can ask us to delete the information that we hold about you in certain circumstances, for example, where we no longer need the information;
- you can ask us to send you, or another organisation, certain types of information about you; and
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

What are our legal grounds for using your information?

This section contains information about the legal basis on which we are relying, when handling your information.

- **Legitimate interests**

We will need to use your information where the processing is necessary for legitimate interests except where the processing is unfair to you.

Specifically, the School has a legitimate interest in:

- looking after your welfare and development and the welfare and development of others;

- safeguarding and promoting the welfare of its pupils;
- using photographs of you for promotional purposes (e.g. on the School's website);
- ensuring the security of the School site which will involve issuing you with a photographic identity card;
- promoting the objects and interests of the School;
- making sure that you are complying with your employment obligations;
- using your information in connection with legal disputes (e.g. if a claim is made against the School);
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with.

In addition, your personal information may be processed for the legitimate interests of others. For example, with external activity providers in the event they need to contact you directly or for their own emergency or insurance purposes.

- **Contractual obligation**

We will need to use your information in order to comply with our contractual obligations. For example:

- we need your name and bank details so that we can pay your salary;
- we may need to provide your personal information to a pension provider;
- we also need to use your personal information to provide contractual and non-contractual benefits; and
- if we provide you with accommodation under your contract we will use your personal information as part of this provision.

- **Legal obligation**

We will need to use your information to comply with various laws and this entitles us to use your information where necessary. For example:

- we have to make sure that you have the right to work in the UK;
- we have to fulfil our safeguarding duties towards pupils; and
- we may be legally obliged to disclose your information to third parties such as the DBS, local authorities or the Police.

- **Vital interests**

We may use your information where this is necessary to protect your vital interests or someone else's. For example, to prevent someone from being seriously injured.

- **Public interest**

The School considers that it is acting in the public interest when providing education. We therefore use your information for the public interest when facilitating our teaching requirements, for example, to help us decide which member of staff will teach a particular class based on skills, experience, qualifications and so on.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information

about your sexual orientation. The grounds on which we are relying to process special categories of personal data are set out below:

- **Employment, social security and social protection**

We may use your information for the purposes of carrying out the obligations and exercising specific rights of the School and staff in the field of employment, social security or social protection.

- **Vital interests**

We may use your information where it is necessary to protect your or someone else's vital interests. For example, where you have a life-threatening accident in the workplace and we have to process your personal data to ensure you receive appropriate medical attention.

- **Legal claims**

We may use your information for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

- **Medical purposes**

We may use your information for the purposes of medical treatment and the management of healthcare services.

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

Data Breach and Complaints Procedure

If you believe that the School has not complied with this notice or acted otherwise than in accordance with the data protection regulations, or believe a data breach has occurred, you should contact the School's Data Protection & Compliance Manager, in writing. The School will take all steps possible to ensure that it is rectified or corrected. All notifiable breaches will be reported to the relevant supervisory authority within the necessary time frame and guidelines.

If you believe that the School has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO). The ICO is the UK supervisory authority for data protection issues.

Further information

Please contact the School's Data Protection & Compliance Manager to:

- object to your information being used for marketing purposes;
- express any concerns about your information being used where we are relying on our legitimate interests;
- ask us to update the information we hold about you;
- withdraw or change your consent where applicable;
- state your preference that certain information is kept confidential; or
- request further information about anything within this notice.