



Oval Way
Gerrards Cross
Buckinghamshire
SL9 8QA

Interim Head: Sean Day, BSc, PGCE

To: All Staff

25th August 2022

Dear Staff,

STAFF PRIVACY NOTICE

In the course of your work undertaken for the school, we will collect, use and hold ("process") personal data 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.

Who this Notice applies to

This notice applies to staff at the school, including: employees, governors, 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.

Please note that, even if this Notice applies to you, 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.

About this Notice

This Staff Privacy Notice explains how the school collects, uses and shares (or "processes") personal data of staff, and your rights in relation to the personal data we hold.

This Privacy Notice 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 and conditions of employment, and any applicable staff handbook;
- the school's retention of records policy;
- the school's disciplinary, 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);
- the school's data protection policy; and
- the school's IT policies.

Please note that any contract you may have with the school will be relevant to how the school processes your data, in accordance with any relevant rights or obligations under that contract. However, this Staff Privacy Notice is the primary document by which we notify you about the use of your personal data by the school.

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

How is your personal information collected?

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

- from the information you provide to us before making a job application, for example when you come for an interview;
- when you submit a formal application to work for us, and provide your personal data in application forms and covering letters, etc.; and
- from third parties, for example the Disclosure and Barring Service (DBS), referees (including your previous or current employers or school) and standard social media sites, 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 data 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.

The kind of information we hold about you

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- Personal contact details such as your name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Gender;
- Marital status and dependants;
- Next of kin and emergency contact information;
- National Insurance number;
- Employment contract information;
- Bank account details, payroll records and tax status information;
- Salary, annual leave, pension and benefits information;
- Start date;
- Location of employment or workplace;
- Recruitment information (including copies of right to work documentation, qualifications, references and other information included in a CV or cover letter or as part of the application process);
- Employment records (including job titles, work history, working hours, training records and professional memberships);
- Performance information;
- Disciplinary and grievance information;
- Details of your time and attendance records;
- Information in applications you may make for other positions within the School;
- Information about your use of our information and communications systems;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School; you will be notified separately if this is to occur);
- Details in references about you we give to others;
- Remuneration and previous benefit package history;

- Copy of driving licence;
- Car make, model and registration number;
- Photographs;

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records;
- Information about criminal convictions and offences, including the results of Disclosure and Barring Service (DBS) checks;
- Information about your race or ethnicity, religious or similar beliefs and sexual orientation for the purpose of monitoring equal opportunities.

The bases for processing your personal data, how that data is used and sharing data

(i) *Entering into, or fulfilling, our contract with you*

We process your personal data 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 data 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;
- once you are employed or engaged by us in any capacity, for the performance of the contract of employment (or other agreement) between you and us;
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us;
- monitoring your attendance and your performance in your work, including in performance appraisals;
- 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;
- for internal record-keeping, including the management of any staff feedback or complaints and incident reporting; and
- for any other reason or purpose set out in your employment or other contract with us.

(ii) *Legitimate Interests*

We process your personal data 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 data 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 monitoring purposes, including operating security cameras in various locations on the school's premises, and recording the arrival and departure times of staff from school premises (this data may be analysed in the event there are concerns of punctuality);
- 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, including where such services are provided re enable relevant authorities to assist with safeguarding, as an educational or catch-up resource, for performance review/appraisals, investigations, grievances, complaints;
- to safeguard staff and pupils' health and welfare and provide appropriate pastoral care, including in relation to Government and DfE guidance relating to COVID-19;
- 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 IT policies and government guidance such as KCSIE.

(iii) *Legal Obligations*

We also process your personal data 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 data for the following:

- to meet our legal obligations (for example, relating to child welfare, social protection, diversity, equality, and gender pay gap monitoring, employment, immigration / visa sponsorship compliance and health and safety);
- for tax and accounting purposes, including transferring personal data 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.

(iv) *Special categories of data*

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

We will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your employment or engagement.

In particular, we process the following types of special category personal data for the following reasons:

- 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. This may include Covid-19 (or similar) testing: including managing on-site testing and/or processing the results of tests taken by staff, and sharing this information with relevant health authorities;
- 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 data which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment;
- data 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 data 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 data in order to ensure you receive appropriate medical attention;
- it is necessary for the purposes of carrying out rights and obligations of the School in connection with employment law, or some function in the substantial public interest, including the safeguarding of children or vulnerable people;
- to comply with public health requirements (e.g. in respect of COVID-19 (or in similar circumstances)); 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.

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 data with certain third parties. We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- other employees, agents and contractors (e.g. third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- DBS and other relevant authorities and agencies such as the Department for Education, the Teaching Regulation Agency, the Home Office, relevant public health/NHS agencies, the ICO, Charity Commission and the local authority;
- external auditors or inspectors;
- our advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants;
- third parties and their advisers in the unlikely event that those third parties are acquiring or considering acquiring all or part of our school, or we are reconstituting or setting up some form of joint working or partnership arrangement in the unlikely event that those third parties are acquiring or considering acquiring all or part of our school, 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 UK GDPR rights.

How long will you keep my information for?

Personal data relating to unsuccessful job applicants is deleted within six months 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 data for a period of seven years after your contract has expired or been terminated.

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 Staff Data Protection Policy].

Rights of access, corrections, erasure and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please advise the HR Officer if your personal information changes during your working relationship with us.

Your rights in connection with personal information

You have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us (in certain circumstances) to erase your personal data;
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- 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 (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third-party information, may take 1-2 months longer).

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at www.ico.org.uk.

Contact and complaints

If you have any queries about how we process your personal data, or if you wish to exercise any of your rights under applicable law, please contact either the HR Officer or Head.

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

Changes to this privacy notice

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

I hope this Staff Privacy Notice serves to inform you of the GDPR provisions as they affect you and your colleagues. If you would like clarification of any point or require any further information, please contact Nikki in the first instance.

Yours sincerely,



SEAN DAY
Interim Head