



THE HOWE GREEN EDUCATIONAL TRUST LIMITED Trading as Howe Green House School and Acorns Nursery

STAFF PRIVACY NOTICE

This outlines why the School collects your personal data, your rights and how it is kept.

HOW WE USE YOUR INFORMATION

This Notice is to help you understand **how** and **why** we collect personal data about you and **what** we do with that information. It also explains the decisions that you can make about your own information. If you have any questions about this Notice, please contact the Bursar. It is also 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.

WHAT IS PERSONAL DATA?

Personal data 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, photos and video recordings of you are also personal information.

WHAT PERSONAL DATA DOES THE SCHOOL HOLD & HOW IS THIS OBTAINED?

We set out below examples of the personal data the School holds about you and where this personal data comes from. Information about you is gathered during the recruitment process such as:

- Information about your education, qualifications and professional achievements;
- You will provide certain information to us e.g. on your application form and during any interviews;
- We may obtain data from publicly available sources such as your social media profiles;
- We will receive your personal data (from you and third parties) when we carry out pre-employment checks e.g. when we receive references, confirmation of your fitness to work, your right to work in the UK and criminal records checks.

We will also hold data about;

- your job performance which may include information about skills, achievements, career progression, performance and disciplinary related matters;
- your financial information such as your bank details, your salary and pension details;
- any physical or mental health condition you may have which is disclosed to us during the recruitment process or at any stage during your employment;
- any protected characteristics you may have (e.g. a disability) which you provide on the Application for Employment form.

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

Other personal data may be acquired from outside of the School community such as from occupational health practitioners or from public authorities such as the police or the Local Authority Designated Officer (LADO). Additionally, parents may provide us with your personal information e.g. if they email the Head to say how much you are helping them with their child's work.

Your Personal Data will be held on the Single Central Register, which may be administered by third parties on the School's behalf. The Single Central Register is required by the Keeping Children Safe in Education rules.

WHY DOES THE SCHOOL USE YOUR PERSONAL DATA?

We commonly use personal data 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 our interests and objectives (including fundraising);
- 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 we use your personal data are set out below:

- We use your personal data to consider your suitability to work in your role at the School.
- We will check that you have the right to work in the UK by reviewing your identification documents and keep copies on your personnel file.
- We may use your personal data 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 use your information when dealing with complaints and grievances (e.g. from other staff or parents).
- We may use information about you including photographs and video recordings of you for marketing and promotional purposes including in School publications, in social media and on our website.
- We may also allow external publication of certain media where appropriate e.g. a photograph or article in a local newspaper.
- We may also make recordings for teaching purposes, for example, recording a lesson to provide feedback to you or pupils.
- We use 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.

The School regularly monitors and accesses its I.T. system for purposes connected with the operation of the School. Our I.T. system includes any hardware, software, email account, computer or device provided by the School or used for our business. Staff should be aware that we may monitor the contents of email and internet traffic. The purposes of such monitoring and accessing includes;

- helping the School with its day-to-day operations e.g. if a member of staff is on holiday or is off sick, their email account may be monitored in case any urgent emails are received; and
- to check staff compliance with our policies and procedures and to help us fulfil our legal obligations e.g. to investigate allegations that a member of staff has been using their email account to send abusive or inappropriate messages.

Monitoring is normally carried out on a random basis or it may be carried out in response to a specific incident or concern. We may also conduct a manual check to monitor the School I.T. system, for example, it may raise an alert if a member of staff visited a blocked website or sent an email containing an inappropriate word or phrase. If anything of concern was revealed as a result of such monitoring then this information may be shared with the Head or Bursar and this may result in disciplinary action. In exceptional circumstances concerns may need to be referred to external agencies such as the police.

- We may send you information about how to support the School, for example fundraising opportunities.
- We may keep details of your postal or email address when you leave our employment so we can keep in touch.

HOW DOES THE SCHOOL SHARE STAFF PERSONAL DATA WITH THIRD PARTIES?

We may need to share your data with the Disclosure and Barring Service (**DBS**) or the National College for Teaching and Leadership (**NCTL**) when carrying out safer recruitment checks or in making a referral to the DBS or the NCTL.

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 professionally. We might need to share your data with them if this is relevant to the work they carry out.

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

As an employer we must check if you can work in the UK before we employ you.

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

If we are dealing with a complaint or grievance (e.g. from a parent) we may share your data with other parties, for example, the appropriate staff at the School, the parents making the complaint and governors.

We may share your information with individuals connected to the School who are exercising their data protection rights, for example, when responding to a subject access request.

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

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

CCTV recordings may be disclosed to third parties such as the police.

We may share your data with parents and pupils where this is related to your professional duties.

We may need to share your data if there is an emergency e.g. if you are hurt in an accident.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- Any payroll provider;
- I.T.consultants who might access information about you when checking the security of our I.T.network;
- We may use some third party "cloud computing" services to store some information rather than the information being stored on hard drives located on our site.

FOR HOW LONG DOES THE SCHOOL KEEP STAFF PERSONAL DATA?

We keep your data for as long as we need to in relation to your employment. We will keep some information after you have left us in case this is needed e.g. in relation to our legal obligations. In exceptional 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 law.

We can keep information about you for a long time or even indefinitely if we need this for historical, research or statistical purposes e.g. if we consider the information might be useful if you ever received medical treatment for an injury whilst at work.

More about retention of data can be found in the table below:

• Single Central Record of employees	A permanent record of all mandatory checks that have been undertaken.
• Contracts of employment	7 years from effective date of end of contract.
• Employee appraisals or reviews	Duration of employment plus 7 years from effective date of end of contract.
• Staff personnel file	As above, with the exception of any information which may be relevant to historic safeguarding claims.
• Payroll, salary, maternity pay records	7 years from effective date of end of contract.
• Pension or other benefit schedule records	Possibly permanent, depending on nature of Scheme.

<ul style="list-style-type: none"> • Health records relating to employees 	7 years from end of contract of employment.
<ul style="list-style-type: none"> • Immigration records 	Minimum 4 years.

YOUR RIGHTS

From 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:

- If information is incorrect, you can ask us to correct it.
- You can also ask what data we hold about you and be provided with a copy.
- You can ask us to delete the information that we hold about you in certain circumstances e.g. where we no longer need the information.
- You can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer.
- Our use of information about you may be restricted in some cases e.g. if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

The Bursar can give you more information about your data protection rights.

OUR LEGAL GROUNDS FOR USING YOUR INFORMATION

This section contains information about the legal basis that we are relying on when handling your data as described above.

Legitimate interests.

This means that we are using your information when this is necessary for our legitimate interests except when this would be unfair to you. We rely on legitimate interests for many of the ways in which the School uses your information. 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 website;
- promoting our objectives and interests. This includes fundraising and using information about you in our publicity material e.g. photographs.
- making sure that you are complying with your employment obligations;
- using your information in connection with legal disputes e.g. if a parent or former pupil brings a claim against us;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with e.g. in relation to inspections.

Additionally, your personal data 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. If you object to us using your information where we are relying on our legitimate interests as explained above, please speak to the Bursar.

Contractual Obligation.

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

- we need your name and bank details so that we can pay you your salary;
- we may need to provide your personal information to a pension provider;
- we need to manage holidays or additional time worked payments.

Legal Obligation

We have to comply with various laws and this entitles us to use your data where necessary. For example:

- we have to make sure that you have the right to work in the UK;
- to fulfil our duty of care to you and your colleagues;
- we have to fulfil our safeguarding duties towards pupils;
- we may be legally obliged to disclose your data 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 that of someone else, e.g. preventing someone from being seriously harmed or killed.

Performance of a task carried out in the public interest.

We use your data for a variety of reasons in the public interest, for example:

- assisting our teaching requirements e.g. to help us decide which member of staff will teach a particular class based on skills, experience and qualifications;
- looking after your welfare and development and the welfare and development of others;
- safeguarding and promoting the welfare of our pupils;
- ensuring the security of the School which may involve issuing you with photo I.D;
- making sure that you are complying with your employment obligations;
- assisting the efficient operation of the School;
- ensuring that we comply with all of our legal obligations.

If you object to us using your information when we are relying on these grounds, please speak to the Bursar.

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 sex life or orientation.

The grounds that we are relying on to process special categories of Personal Data are set out below:

Employment, Social Security and Social Protection.

This processing is necessary 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

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Medical purposes

This includes medical treatment and the management of healthcare services.

Substantial public interest.

We are also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "Public Interest" above, for example the School may use special categories of information when providing an education to pupils, looking after the welfare of pupils or when we are inspected.

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. In some cases we will rely on more than one of the grounds above for a particular use of your information. For example, we may rely on legitimate interests and public interest grounds when using your information to safeguard our pupils.

FURTHER INFORMATION & GUIDANCE

Please speak to the Bursar if;

- you object to us using your information for fundraising purposes e.g. to send you information about a fundraising initiative. We will stop using your information for fundraising purposes if you tell us not to; or
- you would like us to update the information we hold about you.

Please direct any initial questions to the Bursar. If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office – ico.org.uk.