



HOW WE USE YOUR DATA PRIVACY NOTICE FOR STAFF

Introduction

- 1 This Privacy Notice (**Notice**) is to help you understand **how** and **why** we collect personal data about you and **what** we do with that data. It also explains the decisions that you can make about your own data.
- 2 This Notice is aimed at all School staff (including employees, governors, work experience/placement students, volunteers and certain contractors and agency staff and applicants for employment vacancies). This Notice does not form part of your contract of employment and the School may amend this notice at any time.

What is "personal data"?

- 3 Personal data is data which is about you and from which you can be identified.
- 4 This includes your contact details, next of kin and financial data. CCTV, photos and video recordings of you are also personal data.

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

- 5 We set out below examples of the personal data the School holds about you and where this personal data comes from.
- 6 Data about you is gathered during the recruitment process for example:
 - 6.1 data about your education, qualifications and professional achievements;
 - 6.2 when you provide certain data to us, for example, on your application form and during any interviews;
 - 6.3 when we receive your personal data (from you and third parties) in carrying 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.

- 7 We will hold data about your job performance. This includes data about skills, achievements, career progression, performance and disciplinary related matters.
- 8 We hold and use your financial data, such as, your bank details, your salary and pension details.
- 9 Where appropriate, the School will have data about your religious beliefs and practices. For example, if you do not eat certain foods.
- 10 We will hold data 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.
- 11 We will hold data about any protected characteristics you may have (e.g. a disability) which you provide, for example on the Equal Opportunities Monitoring Form.
- 12 Your personal data will be created internally by the School during the course of your employment. An email from the Head to a member of staff complimenting them on class management would be an example of this.
- 13 Your 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.
- 14 Pupils will often provide us with your personal data, for example, if a pupil emails their form teacher to say how much they are helping them with their work.
- 15 Your personal data will be held on the School's Single Central Register, which is hosted on a secure cloud based system called SCR+ and is inspected by the Independent Schools Inspectorate.

Our legal bases for using your data

- 16 This section contains data about the legal bases that we are relying on when handling your data.
- 17 The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 19 to 44 below.
- 18 If we do not have a contract with you, for example, if you are a governor or volunteer, we will not rely on the contractual basis ("**CT**") to use your data.

Legitimate interests ("**L**")

This means that the School is using your data when this is necessary for the School's legitimate interests except when your interests and fundamental rights override our legitimate interests.

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 pupils;
- providing an education to pupils;
- using photographs of you for promotional purposes (e.g. on the School's website in a news story);
- ensuring the security of the school site which will involve issuing you with a photocard;
- promoting the objects and interests of the School. This includes fundraising and using data about you in our publicity material e.g. photographs, staff qualifications.
- making sure that you are complying with your employment obligations and that the School is complying with its employment obligations;
- using your data in connection with legal disputes. For example, if a parent or former pupil brings a claim against the School;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).

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

Necessary for contract ("CT")

We will need to use your data in order to comply with our contractual obligations and for you to perform your obligations as well. For example:

- we need your name and bank details so that we can pay you your salary;
- we may need to provide your personal data to a pension provider so that you can benefit from your pension entitlement; and
- we also need to use your personal data to provide contractual benefits, such as a school fee discount.

Legal obligation ("LO")

As a School we have to comply with various laws and this entitles us to use your data where necessary. For example:

- to make sure that you have the right to work in the UK;
- to fulfil our duty of care to you and your colleagues;
- to fulfil our safeguarding duties towards pupils; and

- sometimes we will be legally obliged to disclose your data to third parties such as the DBS, local authorities or the police. More detail of when we will do so is set out at paragraph 23 below.

Vital interests

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

Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

The following are examples of when we use your data to perform tasks in the public interest:

- looking after your welfare and development and the welfare and development of others. This includes equal opportunities monitoring;
- safeguarding and promoting the welfare of our pupils;
- providing pupils with an education;
- ensuring the security of the school site which will involve issuing you with a photocard;
- making sure that you are complying with your employment obligations;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

The School must also comply with an additional condition where it processes special categories of personal data. These special categories are as follows: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health data, and data about sex life or orientation. The bases that we are relying on to process special categories of personal data are set out below:

Employment, social security and social protection ("ESP")

The 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. Social security and protection is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing. For example, sometimes this would allow us to disclose your data to third parties such as the DBS or occupational health services. More detail of when we will do so is set out at paragraphs 23 and 24 below.

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 ("LC")

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

Medical purposes ("MP")

This includes medical treatment and the management of healthcare services.

Substantial public interest ("SPI")

The School is also allowed to use special categories of personal data where doing so is necessary in the substantial public interest. This is similar to "Public interest" in the table above.

Why does the School use your personal data?

- 19 The letters highlighted in different colours below refer to the legal bases we are relying on, please see the section above for an explanation.
- 20 We commonly use personal data for:
- 20.1 providing education and support to our pupils - **LI**, **PI**, **SPI**;
 - 20.2 ensuring that we provide a safe and secure work environment - **LI**, **PI**, **ESP**, **SPI**;
 - 20.3 providing employment services (such as payroll) - **LI**, **CT**;
 - 20.4 providing training and support - **LI**, **PI**, **SPI**;
 - 20.5 protecting and promoting the School's interests and objectives (including fundraising) - **LI**;
 - 20.6 personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer. For example, to pay staff and to monitor their performance - **LI**, **CT**, **LO**, **PI**, **ESP**, **SPI**;
 - 20.7 safeguarding and promoting the welfare of all staff and pupils - **LI**, **PI**, **ESP**, **SPI**; and
 - 20.8 fulfilling our contractual and other legal obligations - **CT**, **LO**, **ESP**.
- 21 Some specific examples of when the School uses your personal data are set out below:
- 21.1 We use your personal data to consider your suitability to work in your role at the School - **LI**, **LO**, **PI**, **SPI**.
 - 21.2 We will check that you have the right to work in the UK by reviewing your identification documents and keeping copies on your personnel file - **LI**, **LO**.
 - 21.3 We will use your personal data in addressing any performance or disciplinary concerns which arise - **LI**.

- 21.4 We will use data 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 - **LI**.
- 21.5 We will use your data when dealing with complaints and grievances with which you are involved (e.g. from other staff, pupils and parents) - **LI**.
- 21.6 We often use photographs and video recordings of staff, for marketing and promotion purposes. This will include in School publications, in social media and on the School website- **LI**.
- 21.7 We will also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper) - **LI**.
- 21.8 We may also make recordings for teaching purposes, for example, recording a drama lesson to provide feedback to you or pupils. We may also record lessons for pupils who were not able to attend in person or record lessons as part of remote learning. - **LI, PI, SPI**.
- 21.9 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 and minibus forward facing dashboard cameras to capture any footage in the case of an incident. Further information about the use of CCTV can be found in the School's CCTV and Minibus Dashboard Camera policy (a copy of which is published on the School's website) - **LI, PI, SPI**.
- 21.10 The School regularly monitors and accesses its IT system for purposes connected with the operation of the School. The School IT system includes any hardware, software, email account, computer, device or telephone provided by the School or used for School business. Redmaids' High School may also monitor staff use of the School telephone system and voicemail messages. Staff should be aware that the School will monitor the contents of a communication (such as the contents of an email) as well as web activity and keystrokes. - **LI, PI, SPI**.
- 21.11 The School use vehicle registration plate recognition software to enter the site freely through the barrier. - **LI, PI, SPI**
- 21.12 The purposes of such monitoring and accessing include:
- 21.12.1 to help the School with its day to day operations. For example, 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 - **LI**; and
- 21.12.2 to check staff compliance with the School's policies and procedures and to help the School fulfil its legal obligations. For example, to investigate allegations that a member of

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staff has been using their email account to send abusive or inappropriate messages - LI.

- 21.13 Monitoring will be carried out on a daily basis and it may be carried out in response to a specific incident or concern - LI.
 - 21.14 The School also uses software which automatically monitors the School IT system (for example, it would raise an alert if a member of Staff visited a blocked website or sent an email containing an inappropriate word or phrase). - LI
 - 21.15 The monitoring is carried out by school safeguarding software, web filtering software and mobile device management software. If anything of concern is revealed as a result of such monitoring then this data may be shared with the school's Senior Management Team and this may result in disciplinary action. In exceptional circumstances concerns will need to be referred to external agencies such as the Police - LI.
 - 21.16 We may use your data when ensuring network and data security, for example, our anti-virus software might scan files containing data about you - LI.
 - 21.17 We may send you data about how to support the School, for example fundraising opportunities - LI.
 - 21.18 We will keep your contact details when you leave our employment so we can invite you to join our virtual alumnae network; RHSA Connect to keep in touch - LI.
 - 21.19 If we provide you with accommodation under your contract of employment we will use your personal data as part of this provision - LI, CT, PI, ESP, SPI.
 - 21.20 We can keep data about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, to include in our Archive to promote the School's history - LI.
- 22 If you fail to provide certain data when requested, we may not be able to perform our obligations under the contract of employment or agreement we have entered into with you (such as paying you or providing a benefit). Alternatively, we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

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

- 23 We will need to share your data with:
 - 23.1 the Disclosure and Barring Service (**DBS**), Atlantic Data Ltd, and/or the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (if applicable) when complying

with our legal duty to carry out pre-appointment suitability checks - **LI, LO, PI, ESP, SPI**; and

- 23.2 the DBS and/or Teaching Regulation Agency (if applicable) if circumstances arise in which we are required to make a referral to either or both of these bodies - **LI, LO, PI, ESP, SPI**.
- 24 To fulfil our obligations to you as an employer we will need to share your data with medical professionals, such as occupational health services, where we are making a referral - **LI, CT, MP**.
- 25 Occasionally we may use consultants, experts and other advisors (including legal advisors and accountants) to assist us in fulfilling our obligations and to help run the School properly. We will share your data with them if this is relevant to the work they carry out - **LI, PI, ESP, LC, SPI**.
- 26 In accordance with our legal obligations, we will share data with the Independent Schools Inspectorate, for example, during the course of an inspection, and may need to share your data with the Department for Education, the Information Commissioner's Office or Charity Commission - **LI, LO, PI, ESP, SPI**.
- 27 As an employer we must check if you can work in the UK before we employ you. Additionally, if you are sponsored by us under Tier 2 or Tier 5 in certain circumstances we will have to provide data about you to UK Visas and Immigration to comply with our duties as a Tier 2/5 sponsor - **LI, LO, SPI**.
- 28 We may share some of your data with our insurance company, for example, where there is a serious incident at the School - **LI, LC**.
- 29 We may share your data with benefits providers, for example, to ensure that you are able to take advantage of the benefit - **LI, CT, PI, ESP, SPI**.
- 30 We may need to share data about you with the Health and Safety Executive (a government organisation) or with Public Health England if there is a health and safety issue at the School - **LI, LO, PI, ESP, SPI**.
- 31 If the School is dealing with a complaint or grievance (e.g. from a colleague or a parent), we will need to share your data with other parties if it is relevant, for example, the appropriate staff at the School, the colleague or parents making the complaint and governors] - **LI, PI, SPI**.
- 32 If appropriate, we will share your data with individuals connected to the School who are exercising their data protection rights, for example, when responding to a subject access request - **LI, LO**.
- 33 We will share personal data about staff with the relevant statutory agencies if it is appropriate to share this data to investigate allegations of misconduct - **LI, LO, PI, ESP, SPI**.

- 34 We may need to share your data with the Local Authority Designated Officer in accordance with our safeguarding obligations - **LI, LO, PI, ESP, SPI**.
- 35 On occasion, we may need to share your data with the Police for the prevention and investigation of crime and the prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations. In exceptional circumstances CCTV recordings may be disclosed to third parties such as the police - **LI, LO, PI, ESP, SPI**.
- 36 If appropriate, we will share your data with parents and pupils where this is related to your professional duties, such as data about the subjects you teach - **LI, PI, ESP, SPI**.
- 37 We may need to share your data if there is an emergency, for example, if you are hurt in an accident - **LI, PI, ESP, SPI**.

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

- our payroll provider;
- IT consultants who might access data about you when checking the security of our IT network; and
- we use third party "cloud computing" services to store some data rather than the data being stored on hard drives located on the School site.

Transfers of your personal data overseas

- 38 We may send your data to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may store your data on cloud computer storage based overseas.
- 39 The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en
- 40 If the country that we are sending your data to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal data as there is in the UK. Where appropriate we will put in place additional safeguards.
- 41 We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Director of Finance and Operations.
- 42 N.B. This section is subject to change due to the BREXIT deal. It will be reviewed once further details are known.

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For how long does the School keep staff personal data?

- 43 We keep your data for as long as we need to in relation to your employment. We will keep some data after you have left the School in case this is needed, for example, in relation to our legal obligations.
- 44 In exceptional circumstances we may keep your data 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.

Please see our Information and Records Retention Policy for information on how long we keep your personal data for. This can be found on our website here <https://www.redmaidshigh.co.uk/about-us-school-policies>.

Processing in line with your rights

- 45 The Data Protection Act 2018 gives you a number of rights regarding your data. Your rights are as follows:
- 45.1 **The right to be informed:** this privacy policy gives you clear data about how your data is used and what your rights are.
- 45.2 **The right to rectification:** if data the School holds about you is incorrect you can ask us to correct it.
- 45.3 **The right of access:** you can also ask what data we hold about you and be provided with a copy of it. This is commonly known as making a subject access request. We will also give you extra data, such as why we use this data about you, where it came from and what types of people we have sent it to.
- 45.4 **The right to erasure:** you can ask us to delete the data that we hold about you in certain circumstances. For example, where we no longer need the data.
- 45.5 **The right to data portability:** you can request the transfer of your data to you or to a third party in a format that can be read by computer. This applies where (a) the data has been provided by you; (b) the basis that we are relying on to process your data is consent or contract (please see "Our legal bases for using your data" above); and (c) the data is being processed by us on computer.
- 45.6 **The right to object:** you may object to us using your data where:
- 45.6.1 we are using it for direct marketing purposes (e.g. to send you the School magazine);
- 45.6.2 we are relying on either the legitimate interests or performance of a task carried out in the public interest legal basis to use it - please see the section "Our legal bases for using your data" above;

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- 45.6.3 we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs or videos of staff to add to our Archive.
- 45.7 **The right to restrict processing:** our use of data about you may be restricted in some cases. For example, if you tell us that the data is inaccurate we can only use it for limited purposes while we check its accuracy.
- 45.8 **Rights in relation to automated decision making and profiling:** this is when machines/software make decisions based on rules about someone. This is not a process that the School undertakes but it is important to know it is still your right.

The Director of Finance and Operations can give you more information about your data protection rights. To exercise any of your rights you can submit your request in writing to the Director of Finance and Operations or with the Head or Headteacher.

Criminal offence data

We may only use data relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or to exercise our rights or where there is a substantial public interest in doing so. Less commonly, we may use data relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the data public.

Consent

We may ask for your consent to use your data in certain ways as an alternative to relying on any of the bases in this Notice. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal data you can take back this consent at any time. Any use of your data before you withdraw your consent remains valid. You can speak to the Director of Finance and Operations if you would like to withdraw any consent given.

More than one basis

As you will see from this Notice, in some cases we will rely on more than one basis above for a particular use of your data. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal data with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

Further Information

- 46 This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional employment or contractual rights.
- 47 **Contact:** If you would like any further information about anything within this notice please contact the Director of Finance and Operations by telephoning the school office.
- 48 Please speak to the Director of Finance and Operations if:
- 48.1 you would like us to update the data we hold about you; or
 - 48.2 you would prefer that certain data is kept confidential.
- 49 If you consider that we have not acted properly when using your personal data you can contact the Information Commissioner's Office: ico.org.uk.

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