

## **PRIVACY NOTICE: SCHOOL STAFF**

Approved by the SLT 7 July 2022



### **Introduction**

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In the course of a staff member's employment, engagement or other basis of work undertaken for Windlesham House School ("the School"), the School will collect, use and hold ("process") personal data relating to them as a member of its staff. This makes the School a data controller of personal information, and this Privacy Notice sets out how the School will use that information and what the rights of staff members are.

### **Who is a Member of staff?**

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For the purposes of this privacy notice, the school staff includes every adult who works within Windlesham House School or with the pupils of the School, which includes, but is not restricted to, employees, contractors' peripatetic staff, casual workers, temps, Governors and volunteers.

### **About this Policy**

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This Privacy Notice for School Staff explains how the School collects, uses and shares (or "processes") personal data of staff, and their rights in relation to the personal data the School holds.

This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies, 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 CCTV procedure;
- the School's Retention procedure;
- the School's Safeguarding Children and Child Protection, Low Level Concerns and 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 IT Acceptable Use policy and Online Safety policy

Please note that your contract with 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 Staff Privacy Notice, 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 data. However, this Staff Privacy Notice is the primary document applicable to 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 the School collects your information**

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

- from the information you provide to the School before making a job application, for example when you enquire about a vacancy;
- when you submit a formal application to work for the School, and provide your personal data in application forms and covering letters, etc.; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), in order to verify details about you and/or your application to work for the School.

More generally, during the course of your employment with the School, as a member of staff, the School 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 the School during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.

### **The types of information the School collects**

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

- contact and communications information, including:
  - your contact details (including email address(es), telephone numbers and postal address(es);
  - 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 the School for use by it in accordance with this Privacy Notice;
  - records of communications and interactions the School have had with you;
- biographical, educational and social information, including:
  - your name, title, gender, nationality and date of birth;
  - your image and likeness, including as captured in photographs taken for work purposes;
  - 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:
  - your bank account number(s), name(s) and sort code(s) (used for paying your salary and processing other payments);
  - your tax status (including residence status);
  - information related to pensions, national insurance, or employee benefit schemes;
- work related information, including:
  - details of your work history and references from your previous employer(s);
  - your personal data 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 the School to keep in touch with you);
- and 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 the School, the School may also collect special categories of data, 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);
- 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.

## **The bases for processing your personal data, how that data is used and whom it is shared with**

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### **Entering into, or fulfilling, the School's contract with you**

The School processes 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 the School. In this respect, the School uses your personal data for the following:

- administering job applications and, where relevant, offering you a role with the School;
- carrying out due diligence checks on you, whether during the application process for a role with the School or during your engagement with the School, including by checking references in relation to your education and your employment history;
- once you are employed or engaged by the School 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 the School;
- 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 the School.

### **Legitimate Interests**

The School processes your personal data because it is necessary for it's (or sometimes a third party's) legitimate interests. The School's "legitimate interests" include its 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, the School uses your personal data for the following:

- providing you with information about the School and what it is like to work for the School (where you have asked for this, most obviously before you have made a formal application to work for the School);
- 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;
- 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 the School;
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT acceptable use policy and government guidance such as KCSIE.

### **Legal Obligations**

The School also processes your personal data for its compliance with its legal obligations, notably those in connection with employment, charity / company law, tax law and accounting, and child welfare. In this respect, the School uses your personal data for the following:

- to meet the School's 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 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.

### **Special categories of data**

The School processes 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.

The School will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and the School's) in relation to your employment.

In particular, the School processes 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;
- recording your racial or ethnic origin in order to monitor the School's compliance with equal opportunities legislation;
- trade union membership, in connection with your rights as an employee and the School's obligations as an employer;
- 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);

The School will process special categories of personal data for lawful reasons only, including because:

- you have given the School 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 the School have to process your personal data in order to ensure you receive appropriate medical attention;
- it is necessary for some function in the substantial public interest, including 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 the School 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, the School may share your personal data with certain third parties. The School 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 the School's 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 the School's behalf);
- DBS and other relevant authorities and agencies such as the Department for Education, Charity Commission and the local authority;
- external auditors or inspectors;
- the School's advisers where it is necessary for the School 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 the School or we are reconstituting or setting up a subsidiary company;
- 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.

The School may also share information about you with other employers in the form of a reference, where it considers it appropriate, or if the School is required to do so in compliance with its legal obligations.

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

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Personal data relating to unsuccessful job applicants is deleted within 6 months of the end of the application process, except where the School has notified you they intend to keep it for longer (and you have not objected).

For employees, subject to any other notices that the School may provide to you, the School may retain your personal data for a period of 7 years after your contract of employment (or equivalent agreement) 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 the School's Retention Procedure.

### **Your rights**

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Please see the School's Parents Privacy Notice which has details of your rights as a 'data subject', which are the same as if you were any member for the public. 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](http://www.ico.org.uk).

### **This notice**

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

### **Contact and complaints**

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If you have any queries about this privacy notice or how the School process your personal data, or if you wish to exercise any of your rights under applicable law, you may refer the matter through the staff grievance procedure.

If you are not satisfied with how the School is processing your personal data, or how the School deals 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 initially prior to any referral.

### **Privacy Officer (PO)**

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The designated Privacy Officer at Windlesham House School is the Bursar. The Privacy Officer is responsible for all issues relating to Data Protection and any queries should be directed to her.

### **Further information and guidance**

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This notice is to explain how we look after personal information.

If you require more information about how the School and/or DfE store and use your personal data please visit:

- <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you want to see a copy of information about you that the School holds, please contact the Bursar.

If you have any complaint about the way your data is handled please refer to the School's Grievance Policy and Procedure. If after following the grievance process you think the School has not dealt with your request for information properly, you can complain to the Information Commissioners Office.

## Related Policies

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- Data Protection Policy
- Grievance Policy and Procedure
- IT Acceptable Use Policy
- Parents Privacy Notice
- Record Retention Procedure
- Safer Recruitment Policy
- Safeguarding Children and Child Protection Policy
- Low Level Concerns Policy
- Whistleblowing Policy