



## Privacy Notice for Staff

*"Twickenham Preparatory School seeks to create a safe, caring and happy Christian environment in which all pupils are valued and can thrive personally, socially and academically."*

<b>Date Revised:</b>	May 2018
<b>Approval Body:</b>	Board of Governors
<b>Authorised by Chair of Governors:</b>	
<b>Date Approved:</b>	8 <sup>th</sup> May 2018
<b>Review Schedule:</b>	Annually
<b>Circulation:</b>	Governors, all staff, contractors, volunteers

### 1. What Is The Purpose Of This Document?

The School is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us.

The School is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to governors, current and former employees, workers, volunteers, apprentices and contractors. It does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice and any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. You are also required to read and comply with the School's privacy notices applicable to parents, pupils, alumni and suppliers which can be found in the Reference drive on the School network or by request from the School Office.

### 2. Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in the Data Protection Policy.

### 3. The Kind Of Information We Hold About You

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity

has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection. These would include data relating to an individual’s race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership (or non-membership), genetics information, biometric information (where used to identify an individual) and information concerning an individual’s health, sex life or sexual orientation.

We will collect, store, and use the following categories of personal information about you, as applicable:

- 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, leaving date and reason for leaving;
- Location of employment or workplace;
- Recruitment information (including copies of right to work documentation, 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 benefit package history;
- Copy of driving licence, including checks of licence where necessary;
- CCTV footage and other information obtained through electronic means;
- Photographs;
- Vehicle details;
- Declaration of eligibility in respect of Company Directors; and
- Related party interests.

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 or Disqualification by Association checks;
  - Information about your race or ethnicity, religious or similar beliefs and sexual orientation; and
  - Trade union membership.

#### **4. How Is Your Personal Information Collected?**

We collect personal information about governors, employees, workers, volunteers, apprentices and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers or background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

#### **5. How We Will Use The Information About You?**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you, or to take steps to enter into a contract.
- Where we need to comply with a legal obligation (e.g. our obligations to you as your employer under employment protection and health safety legislation or to comply with statutory guidance and codes of practice, such as those issued by ACAS and the Department for Education).
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest.

#### **6. Situations In Which We Will Use Your Personal Information**

We need all the categories of information in the list above (see "**The kind of information we hold about you**") primarily:

- to allow us to perform our contract with you; and
- to enable us to comply with legal obligations.

In some cases we may use your personal information:

- to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment;
- Determining the terms on which you work for us;
- Checking you are legally entitled to work in the UK;
- Paying you and, if you are an employee, deducting tax and National Insurance contributions;
- Providing certain health and welfare benefits to you: e.g. Staff Welfare Schemes and Personal Accident Cover;
- Liaising with your pension provider;
- Administering the contract we have entered into with you;
- Business management and planning, including accounting and auditing;
- Conducting performance reviews, managing performance and determining performance requirements;
- Making decisions about salary reviews and remuneration;
- Assessing qualifications for a particular job or task, including decisions about promotions;
- Gathering evidence for possible grievance or disciplinary hearings;
- Making decisions about your continued employment or engagement;
- Making arrangements for the termination of our working relationship;
- Education, training and development requirements;
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- Ascertaining your fitness to work;
- Managing sickness absence;
- Complying with health and safety obligations;
- To prevent fraud;
- To monitor your use of our information and communication systems to ensure compliance with our IT policies;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- Equal opportunities monitoring; and
- To conduct data analytics studies to review and better understand employee retention and attrition rates.

Some of the above grounds for processing will overlap and there may be several purposes which justify our use of your personal information.

## **7. If You Fail To Provide Personal Information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## **8. Change Of Purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal

basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **9. How We Process Particularly Sensitive Personal Information**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations and in line with our Data Protection Policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our Data Protection Policy; and
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed 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 information public.

## **10. How We Use Sensitive Personal Information**

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **11. Do We Need Your Consent To Process Sensitive Personal Information?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

## **12. Information About Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

Less commonly, we may use information relating to criminal convictions 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 information public.

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

We will use information about criminal convictions and offences in the following ways:

- In order to assess suitability for employment;
- In order to comply with safeguarding obligations; and
- As required by law.

We are allowed to use your personal information in this way in order to comply with legal obligations and/or to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

## **13. Data Sharing**

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

## **14. Why Might You Share My Personal Information With Third Parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

## **15. Which Third-Party Service Providers Process My Personal Information?**

"Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, HMRC, pension administration, benefits provision and administration, IT services, staff appraisals and emergency communications.

## **16. How Secure Is My Information With Third Party Service Providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **17. What About Other Third Parties?**

We may share your personal information with other third parties, for example in the context of a sale or restructuring of the School. We may also need to share your personal information with the Independent School's Inspectorate, a regulator or to otherwise comply with the law.

## **18. Transferring Information Outside The EU**

If the country we are sending your information to is outside the European Economic Area (EEA), (which comprises the countries in the European Union and Iceland, Liechtenstein and Norway), then it may not have the same level of protection for personal information as there is in the UK. In this event, the School would ensure that an adequate level of protection in respect of your personal information would apply.

An example of when it would be necessary to send your information to other countries would be; responding to an international reference request.

If you have any questions about the safeguards that are in place, please contact the Business Manager, Mrs Caroline Churchman.

## **19. Data Security**

We have put in place measures to protect the security of your information. Details of these measures are available in our Information Security Policy which is available on the Reference drive of the network or by request from the School Office.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **20. Data Retention: How long Will You Use My Information For?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention & Storage Policy which is available on the Reference drive of the network or by request from the School Office.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the School we will retain and securely destroy your personal information in accordance with our Data Retention & Storage Policy and applicable laws and regulations.

We may retain personal data for archiving purposes where it is necessary to do so in the public interest, for scientific or historical research purposes or statistical purposes subject to appropriate safeguards being put in place to protect the rights and freedoms of the data subject.

## **21. Rights Of Access, Corrections, Erasure and Restriction**

### **21.1 Your duty to inform us of changes**

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

### **21.2 Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact The Business Manager in writing.

### **21.3 No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **21.4 What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **21.5 Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Business Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **21.6 Point of Contact**

The Business Manager, Mrs Caroline Churchman is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact her.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## **22. Changes To This Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact:**

**Mrs Caroline Churchman**

**Business Manager**

Email: [accounts@twickenhamprep.co.uk](mailto:accounts@twickenhamprep.co.uk)

Direct Line: 020 8783 3551