Staff Privacy Notice

This Staff Privacy Notice should be read in conjunction with the following policies:

Privacy Notice
Taking, Storing and Using Images of Children Policy
CCTV Policy
Subject Access Request Policy
Safeguarding Policy
Acceptable Use Policy
Behaviour Policy
Staff Code of Conduct (if staff member)
Data Retention Policy

In the course of your employment, engagement or other basis of work undertaken for the school, we will collect, use and hold ("process") personal data relating to you as a member of our staff. 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.

Responsibility for Data Protection

The School has appointed Agnes Chiano, Bursar, as Privacy and Compliance Manager.

The Privacy and Compliance Manager will deal with all your requests and enquiries concerning the school's uses of your personal data and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

The Privacy and Compliance Manager can be contacted on 01223 272701 or achiano@sjcs.co.uk.

Who this document applies to

Academic and other staff, contractors, itinerant teachers, 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. It also applies to governors / trustees / directors.

This notice is not aimed at pupils, or parents of pupils (whether current, past or prospective) or other members of the public. This information may be found in the school's main Privacy Notice (linked at the top of this document), which provides further details about how personal data will be used by the school.

About this document

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 Staff 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 policy;

- the school's 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 IT policies, including its Acceptable Use policy; and

- the school's Data Retention 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 we collect your information

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; 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 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 professional development;

- 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 types of information we collect

We 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 number(s) 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 us for use by us in accordance with this Privacy Notice;
    - records of communications and interactions we 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 us 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 us, we 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);
- biometric information if applicable, for example where necessary for school security systems;

- 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

(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, we use your personal data for the following:

- 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 professional development discussions;

- 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, we 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 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, for example to confirm your absence from work;

- 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 acceptable use 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 law, tax law and accounting, and child welfare. In this respect, we 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, 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***

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. 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;

- 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 and our 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);

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 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 defense 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 (eg third parties processing data on our behalf as part of providing services such as administering payroll services, the provision of benefits including pensions and IT services, amongst others) – 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, NCTL, the ICO, Charity Commission and the local authority;

- Our proprietor, Saint John's College;

- 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;

- 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.

How long your information is kept

Personal data relating to unsuccessful job applicants is usually deleted after 1 year, except where we have notified you we intend to keep it for longer (and you have not objected).

For employees, subject to any other notices that we may provide to you, we may retain your personal data for a minimum 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 our Data Retention policy, which can be viewed within the Staff Handbook, or a copy requested from the Privacy and Compliance Manager.

Your rights

Please see our main Privacy Notice which has full details of your rights as a 'data subject', which are the same as if you were any member of 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.

This 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.

Contact and complaints

If you have any queries about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact the Privacy and Compliance Manager in the first instance.

If you believe that the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, you should refer to the school's Grievance Policy and Procedure (available in the Staff Handbook section of the website) and should also notify the Privacy and Compliance Manager. You can also make a referral to, or lodge a complaint with, the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.