

Eversfield Preparatory School



PRIVACY NOTICE (STAFF) 2018

This notice contains the key information about how and why the School collects and processes your personal data, what we do with that information and what your rights are.

Eversfield Preparatory School Trust Limited is a data controller for the purpose of the Data Protection Act. In the course of your employment, engagement or other basis of work undertaken for the School, we will collect, use and process personal data relating to you as a member of our staff.

Who this document applies to

This document applies to teaching and non-teaching staff, volunteers (including governors and trustees), contractors, visiting/peripatetic teachers/coaches/staff, casual workers and temporary staff who may be employed or engaged by the School to work for it in any capacity, as well as to prospective applicants for roles.

This Privacy Notice applies in addition to the School's other relevant terms and conditions including any contract between the School and its staff, such as the terms and conditions of employment and any applicable staff handbook and policies.

Please note that any references to "employment" and/or "staff" in this Notice are not intended to imply or confer any employment rights on non-employees.

A separate Privacy Notice for pupils and parents of pupils details how their personal data will be used by the school can be found on the school network.

How we collect your information

We collect your personal data in a number of ways, for example:

- from the information you provide to us when making a job application, i.e. information provided when enquiring about a job vacancy, on the formal application form submitted, in emails/covering letters and at interview
- from third parties, for example referees (including your previous or current employers or school), in order to verify details about you and/or your application to work for us, and the Disclosure and Barring Service (DBS).
- when you provide or update your contact details
- in the course of fulfilling your employment (or equivalent).

The categories of information that we process include:

- personal identifiers and contact information including name, employee/teacher number, National Insurance number, contact details and address including details for your 'next of kin' **(in which case you confirm that you have the right to pass this information to us for use in accordance with this Privacy Notice)**
- characteristics information (such as gender, data of birth, ethnicity, nationality)
- medical and dietary information
- contract information (such as start date, hours worked, post, role(s), salary information)
- work absence information
- details of your education including qualifications and awards
- work related information, including details of your work history and references from your previous employer(s), details of your professional activities (i.e. CPD, training courses), your involvement with and membership of sector bodies and professional associations

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- records of communications and interactions we have had with you
- financial information, including bank account details (for paying your salary and processing other payments), your tax status (including residence status)
- information related to pensions, national insurance, or employee benefit scheme
- identity management/authentication (biometric thumbprint access to areas of the School – please see ANNEX A for further information)
- when relevant, information about your employment and professional life after leaving the School, if you have asked us to keep in touch with you.
- any other information relevant to 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
Under General Data Protection Regulation (GDPR), the lawful bases we rely on for processing staff information are:

Contract

The School processes your personal data for the performance of a contract to which you are a party and 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 the School
- carrying out due diligence checks on you, both during the application process for a role with the School and/or during your engagement with the School, including 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 the School
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with the School
- monitoring attendance and performance in your work, including in performance management
- 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
- for any other reason or purpose set out in your employment or other contract with us.

Legitimate interests

The School processes your personal data as it necessary for our legitimate interests. Our legitimate interests include 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).

Specifically, the School has a legitimate interest in:

- providing you with information about the School
- providing education services to pupils
- safeguarding pupils' welfare and providing appropriate pastoral care
- keeping the school buildings safe, including operating security cameras in various locations on the School's premises and using digital thumbprint for access to areas of the school
- making sure that the School is well managed

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- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections) and enabling the relevant authorities (i.e. ISI) to monitor the School's performance
- facilitating the efficient operation of the School
- promoting the objects and interests of the School, including fundraising and marketing, e.g. publishing your image and likeness in connection with your employment or engagement with us
- to monitor, as appropriate, the use of the School's IT and communications systems in accordance with the e-Safety Policy and statutory guidance, e.g. *Keeping Children Safe in Education (September 2018)*
- where applicable, using your information in connection with any School or external complaints, disciplinary or investigatory process.

Legal Obligation

The School also processes your personal data for compliance with its legal obligations, notably those in connection with employment, 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, 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 category data

The School must also comply with an additional condition – special category data – where it processes special categories of personal information. Special category data includes information about an individual's health, race, ethnic origin, politics, religion, sex life, trade union membership, genetics, biometrics (where used for ID purposes), sexual orientation and actual or alleged criminal activity. The School processes 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, 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
- your racial or ethnic origin in order to monitor 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).

The lawful bases we rely on for processing special category data are:

Substantial public interest

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This includes safeguarding of children or vulnerable people, or as part of a

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process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations).

Vital interests

The School may use your information when it is necessary to protect you 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.

Legal claims

The processing is necessary for the establishment, to exercise or defend legal claims. This allows the School to share information with our legal advisers and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

Consent

The School will ask for your consent to use your personal data in certain ways as an alternative to relying on any of the bases above. For example, while there is legitimate interest to publish your image and likeness in connection with your employment or engagement with the School, we request your consent to do so for the purposes of publishing your image on the school website/Twitter and for marketing. Where the School is relying on consent as a means to process personal data, any person may withdraw consent at any time.

How we store your data

In accordance with our Record Keeping Policy, we hold your personal data securely, in electronic and paper format, and for as long as it is necessary to keep for a legitimate and lawful reason. Please refer to the Record Keeping Policy for further information.

Who we share your information with

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:

- Disclosure and Barring Service (DBS)
- Independent Schools Inspectorate (ISI)
- Department for Education (DfE)
- Independent Schools Council (ISC)
- Charity Commission
- the local authority
- pension providers, i.e. Teachers' Pensions
- security systems, i.e. Almas Industries (digital thumbprint access)
- external auditors or inspectors
- the School's advisers where it is necessary for to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants
- 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.

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How long your information is kept

Personal data relating to unsuccessful job applicants is deleted six months after the vacancy application closing date, 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 period of six 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 refer to the Record Keeping Policy for further information.

Your rights

- Rectification – if information held by the School about you is incorrect you can ask us to correct it.
- Access – you can ask the School what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. To make a request, contact Mrs Jemma Webb, Director of Administration.
- Deletion – you can ask the School to delete the information that we hold about you in certain circumstances, for example, where we no longer need the information.
- Portability – allows the movement, copying and transfer of your information from one IT environment to another in a safe and secure way without affecting its usability. This only applies to information an individual has provided to a controller.
- Restriction – the School's use of information about you may be restricted in some cases. For example, if you tell the School that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

Further information and guidance

If you would like to discuss any queries or have any concerns about the way we are collecting or using your personal data, please contact Mr Robert A Yates, Headmaster or Mrs Jemma Webb, Director of Administration, Eversfield Preparatory School, Warwick Road, Solihull, West Midlands, B91 1AT, 0121 705 0354.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

Monitoring and Review

The School will monitor, review and update this Privacy Notice in line with any further changes to data protection law.

JW, August 2018

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ANNEX A – BIOMETRIC INFORMATION AND HOW IT WILL BE USED

We take site security very seriously and, throughout the school, doors to buildings are accessible via a biometric digital thumbprint system. The system we use is provided by Almas Industries (www.almas-industries.com).

The school uses an automated biometric recognition system using biometric information from your thumbprint to enable access to areas around the School. The information the system uses is referred to as 'biometric information' and is encrypted partial data consisting of partial data from an image, which is encrypted and cannot be used to recreate the complete original image. This is the most secure type of biometric data.

This system will take measurements of your thumbprint and convert these measurements into a biometric template to be stored on the system in a binary format as Y axis and X axis reference points and the data is encrypted within the database. An image of your thumbprint is not stored. The template is what will be used to allow you to access entrances around the School.

You should note that the law places specific requirements when using personal information such as biometric information. For example, the school:

- cannot use the information for any purpose other than for which it was originally obtained
- must ensure that the information is stored securely
- must tell you what it intends to do with the information
- cannot disclose personal information to another person/body, unless the law allows it.

You should also note that the only body that the school shares the information with is Almas Industries, the supplier of the biometric system in order to ensure operation of the system.

In order to be able to use your biometric information, you will be asked to have images of your thumbprint taken once your contract commences with the School. The process of having the images taken will also be seen as giving consent. You can object to the processing of your biometric information or withdraw any consent you have previously given by putting your request in writing to the Headmaster. If you do not wish your biometric information to be processed by the school the law says that we must provide reasonable alternative arrangements for those not going to use the automated thumbprint system.

Please note that when your contact ends with the school, or if for some other reason you cease to use the biometric thumbprint system, your biometric data will be securely deleted.

August 2018