



**Godolphin School**  
**Privacy Notice for Staff**

September 2018



## Introduction

- 1 This notice is to help you understand **how** and **why** we collect personal information about you and **what** we do with that information. It also explains the decisions that you can make about your own information.
- 2 If you have any questions about this notice or your data protection rights, please contact the School's Privacy Officer on [privacy@godolphin.org](mailto:privacy@godolphin.org).
- 3 This notice is aimed at all School staff (including employees, governors, volunteers and certain contractors and agency staff) and applicants for employment vacancies and should be read as appropriate depending on which category applies to you. The notice does not form part of your contract of employment and the School may amend this notice at any time.

## What is "personal information"?

- 4 Personal information is information that identifies you as an individual and relates to you. This includes your name, contact details, next of kin and financial information. We will also hold information such as your religion or ethnic group. CCTV, photos and video recordings of you are also personal information.

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

- 5 Set out below are examples of the personal information the School holds about you and where this personal information comes from.
- 6 Information about you is gathered during the recruitment process, for example:
  - 6.1 information about your education, qualifications and professional achievements;
  - 6.2 when you provide certain information to us, such as on your application form and during any interviews;
  - 6.3 when we obtain information from publicly available sources such as your social media profiles and through search engines on the internet; and
  - 6.4 when we receive your personal information (from you and third parties) in carrying out pre-employment checks, such as when we receive references, confirmation of your fitness to work, confirmation of your right to work in the UK and the results of criminal records checks.
- 7 We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.
- 8 We hold and use your financial information, such as your bank details, your salary and pension details.
- 9 We will hold information 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.
- 10 We will hold information about any protected characteristics you may have (e.g. a disability) which you may provide.

- 11 Your personal information will be created internally by the School during the course of your employment, for example as part of the staff review and development process, when pupils email to say how much you are helping them or when the Head writes to compliment you on something you have undertaken well.
- 12 Your personal information may be acquired from outside the School community, such as from occupational health practitioners or from public authorities such as the police or the Local Authority Designated Officer for Allegations.
- 13 Your personal information will be held on the School's Single Central Register and/or in your personnel file.

### **Why does the School use your personal information?**

- 14 We commonly use personal information for:
  - 14.1 providing education and support to our pupils;
  - 14.2 ensuring that we provide a safe and secure work environment;
  - 14.3 providing employment services (such as payroll and references);
  - 14.4 providing training and support;
  - 14.5 protecting and promoting the School's interests and objectives (including fundraising);
  - 14.6 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;
  - 14.7 safeguarding and promoting the welfare of all staff and pupils; and
  - 14.8 fulfilling our contractual and other legal obligations.
- 15 Some specific examples of when the School uses your personal information are set out below:
  - 15.1 we use your personal information to consider your suitability to work in your role at the School;
  - 15.2 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;
  - 15.3 we may use your personal information in addressing any performance or disciplinary concerns that may arise;
  - 15.4 we will use information relating to any medical condition you may have in order to verify your fitness to work, monitor sickness absence and comply with our duty of care towards you;
  - 15.5 we will use your information when dealing with any complaints and grievances with which you are involved (e.g. from other staff, pupils and parents);

- 15.6 we often use photographs and video recordings of staff for marketing and promotion purposes, including in School publications, in social media and on the School website;
- 15.7 we may also allow external publication of certain media where appropriate (for example a photograph or article in a local newspaper);
- 15.8 we may also make recordings for teaching or assessment 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;
- 15.9 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;
- 15.10 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. The School may also monitor staff use of the School telephone system and voicemail messages. Staff should be aware that the School may monitor the contents of communications such as the contents of an email;
- 15.11 the purposes of such monitoring and accessing include (a) to help the School with its day to day operations, for example if a member of staff is on holiday or off sick, their email account will be monitored in case any urgent emails are received; and (b) 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 staff has been using their email account to send abusive or inappropriate messages;
- 15.12 monitoring may be carried out on a random basis and it is likely to be carried out in response to a specific incident or concern;
- 15.13 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;
- 15.14 the monitoring is carried out by the IT department. If anything of concern is revealed as a result of such monitoring, then this information may be shared with members of the 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;
- 15.15 we may use your information when ensuring network and information security, for example our anti-virus software might scan files containing information about you;
- 15.16 we may send you information about how to support the School, for example fundraising opportunities;
- 15.17 we may keep details of your address when you leave our employment, so we can keep in touch; and
- 15.18 if we provide you with accommodation under your contract of employment we will use your personal information as part of this provision.

If you fail to provide certain information 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 information with third parties?**

- 16 We will need to share your information with the Disclosure and Barring Service (DBS), Capita (who carry out DBS checks) and/or the Teaching Regulation Agency (TRA) (if applicable) when complying with our legal duty to carry out pre-appointment suitability checks or if circumstances arise in which we are required to make a referral to the DBS and/or the TRA.
- 17 To fulfil our obligations to you as an employer we will need to share your information with medical professionals, such as occupational health services, where we are making a referral.
- 18 We may use consultants, experts and other advisers (including legal advisers and accountants) to assist us in fulfilling our obligations and to help run the School properly. We will share your information with them if this is relevant to the work they carry out.
- 19 In accordance with our legal obligations, we will share information about you with the Independent Schools Inspectorate, for example during the course of an inspection, and may need to share your information with the Department for Education.
- 20 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 information about you to UK Visas and Immigration to comply with our duties as a Tier 2/5 sponsor. Furthermore, if you have lived or worked overseas, we may require you to provide proof that you were not involved in criminal activity whilst living there.
- 21 We may share some of your information with our insurance company, for example where there is a serious incident at the School.
- 22 We may share your information with benefits providers, for example to ensure that you are able to take advantage of the benefit.
- 23 We may share information about you with the Health and Safety Executive if there is a health and safety issue at the School.
- 24 The School is a charity which means that in exceptional circumstances we may need to share your information with the Charity Commission, e.g. in the event of a serious incident.
- 25 If the School is dealing with a complaint or grievance, e.g. from a colleague or a parent, we will need to share your information with other parties if it is relevant, such as the appropriate staff at the School, the colleague, the parent making the complaint and one or more Governors.

- 26 If appropriate, we will share your information with individuals connected to the School who are exercising their data protection rights, for example when responding to a subject access request.
- 27 We will share personal information about staff with the relevant statutory agencies if it is appropriate to share this information to investigate allegations of misconduct.
- 28 We may need to share your information with the Local Authority Designated Officer for Allegations in accordance with our safeguarding obligations.
- 29 We may need to share your information 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.
- 30 In exceptional circumstances, CCTV recordings may be disclosed to third parties such as the police.
- 31 If appropriate, we will share your information with parents and pupils where this is related to your professional duties, such as information about the subjects that you teach.
- 32 We may need to share your information if there is an emergency, for example if you are hurt in an accident.
- 33 We sometimes use contractors to handle personal information on our behalf, such as IT consultants who might access information about you when checking the security of our IT network and third party "cloud computing" services to store information rather than the information being stored on hard drives located on the School site.

### **Our legal bases for using your information**

This section contains information about the legal bases that we are relying on when handling your information. In some cases, we will rely on more than one basis for a particular use of your information. In addition, we may move from one basis 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 information with the local authority in addition to the other legal bases that apply for safeguarding purposes.

#### Legitimate interests

- 34 In most cases, processing your personal information is necessary for the School's legitimate interests, except where your interests and fundamental rights override our legitimate interests.

Specifically, the School has a legitimate interest in:

- 34.1 looking after your welfare and development;
- 34.2 safeguarding and promoting the welfare of its pupils;
- 34.3 providing an education to pupils;
- 34.4 using photographs of you for promotional purposes (e.g. on the School's website);

- 34.5 ensuring the security of the School site which may involve issuing you with an identity badge;
  - 34.6 promoting the objects and interests of the School, including fundraising;
  - 34.7 making sure that both you and the School are complying with their respective employment obligations;
  - 34.8 using your information in connection with legal disputes, for example if a parent or former pupil brings a claim against the School;
  - 34.9 facilitating the efficient operation of the School; and
  - 34.10 ensuring that all relevant legal obligations of the School are complied with.
- 35 In addition, your personal information 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.

#### Contractual obligations

- 36 We will need to use your information in order to comply with our contractual obligations and for you to perform your obligations as well. For example:
- 36.1 we need your name and bank details so that we can pay you your salary;
  - 36.2 we may need to provide your personal information to a pension provider so that you can benefit from your pension entitlement and
  - 36.3 we also need to use your personal information to provide contractual benefits, such as a school fee discount.

#### Legal obligations

- 37 As a School we have to comply with various laws and this entitles us to use your information where necessary. For example:
- 37.1 to make sure that you have the right to work in the UK;
  - 37.2 to fulfil our duty of care to you and your colleagues;
  - 37.3 to fulfil our safeguarding duties towards pupils; and
  - 37.4 sometimes we will be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police.

#### Vital interests

- 38 We may use your information where this is necessary to protect your vital interests or someone else's, for example to prevent death or serious injury.

#### Public interest

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



- 39.1 looking after your welfare and development and the welfare and development of others. This includes equal opportunities monitoring;
- 39.2 safeguarding and promoting the welfare of our pupils;
- 39.3 providing pupils with an education;
- 39.4 ensuring the security of the School site, which may involve issuing you with an identity badge;
- 39.5 making sure that you are complying with your employment obligations;
- 39.6 facilitating the efficient operation of the School and
- 39.7 ensuring that we comply with all of our legal obligations.

#### Special categories of information

- 40 The School must also comply with an additional condition where it processes special categories of personal information namely information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information and information about sex life or orientation. The bases that we are relying on to process special categories of personal information are set out below:
  - 40.1 When this 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 are concerned with preventing, managing and overcoming situations that adversely affect people's wellbeing. For example, sometimes this would allow us to disclose your information to third parties such as the DBS or occupational health services;
  - 40.2 When this is necessary to protect the vital interests of any person where that person cannot give consent, for example if they are seriously hurt or are unconscious;
  - 40.3 When this is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisers and insurers;
  - 40.4 When this is necessary for medical purposes including medical treatment and the management of healthcare services;
  - 40.5 When this is necessary in the substantial public interest, similar to "public interest" above.

#### Criminal offence information

We may only use information 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 exercise our rights. Less commonly we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect your or someone else's legal interests and you are not capable of giving your consent, or where you have already made the information public.

### More than one basis

In some cases, we will rely on more than one basis for a particular use of your information. In addition, we may move from one basis 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 information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

### Consent

41 We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to the School's Privacy Officer if you would like to withdraw any consent given.

### **Sending your information to other countries**

42 We will not send your information to other countries which do not have the same level of protection for personal information as there is in the UK or the EU, unless you ask us to do so, when you are part of a School trip outside the EU, or to communicate with you overseas, e.g. when you are on holiday, or otherwise give your specific consent.

### **For how long does the School keep staff personal information?**

43 We keep your information for as long as we need to in relation to your employment. We will keep some information after you have left the School in case this is needed, for example in relation to our legal obligations.

44 We will also need to retain your contact details for so long as you want to be a part of the School community, so that we can communicate with you.

45 In exceptional circumstances, we may keep your information for longer than usual but only if we have a good reason and are allowed to do so under data protection law.

46 We may also keep information about you for a longer time or even indefinitely if this is needed for historical, research or statistical purposes or as part of our wider legal and regulatory obligations.

### **Processing in line with your rights**

47 You have a number of additional rights regarding your personal information, some of which are new rights whilst others build on your existing rights. These rights are as follows:

47.1 **Rectification:** if information the School holds about you is incorrect you can ask us to correct it;

47.2 **Access:** you can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to;

47.3 **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances, for example where we no longer need the information;



- 47.4 **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer. This applies where (a) the information has been provided by you, (b) the basis that we are relying on to process your information is consent or contract and (c) the information is being processed by us on computer.
- 47.5 **Restriction:** our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy;
- 47.6 **Object:** you may object to us using your information where (a) we are using it for direct marketing purposes, (b) the basis on which we are relying is legitimate interests or public interest or (c) we are using it for historical or scientific research or archiving purposes.

#### Further information

- 48 This 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.
- 49 If you would like any further information about anything within this notice, please contact the Privacy Officer ([privacy@godolphin.org](mailto:privacy@godolphin.org)).
- 50 Please speak to the HR Assistant or the Privacy Officer if:
- 50.1 you would like us to update the information we hold about you or
- 50.2 you would prefer that certain information is kept confidential.
- 51 If you consider that we have not acted properly when using your personal information, you may contact the Information Commissioner's Office ([ico.org.uk](http://ico.org.uk)).