GATEWAY SCHOOL
GREAT MISSENDEN

PRIVACY NOTICE - STAFF

Reviewed- July 26

Date of Policy – April 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. In preparing this notice we have referenced the following UK General Data Protection Regulation, the Data Protection Act 2018 and the Data (Use and Access) Act 2025.

2 If you have any questions about this notice please contact our Compliance Officer, Mrs Ancuta. They can be contacted on finance@gatewaysch.co.uk.

3 This notice is aimed at all School staff (including volunteers and certain contractors) and applicants for employment vacancies. This privacy notice does not form part of your contract of employment and the School may amend this notice at any time.

4 If you wish to access your personal data through a subject access request the process for this is detailed in the school data protection policy

What is "personal information"?

5 Personal information is information which is about you and from which you can be identified.

6 This includes your contact details, next of kin and financial information. We will also hold information such as your religion, gender, date of birth, or ethnic group for operational purposes. 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?

7 We set out below examples of the personal information the School holds about you and where this personal information comes from.

8 Information about you is gathered during the recruitment process:

8.1 such as information about your education, qualifications and professional achievements;

8.2 you will provide certain information to us, for example, on your application form and during any interviews;

8.3 we will obtain information which you have made publicly available through sources such as your social media profiles; and

8.4 we will receive your personal information (from you and third parties) when we carry out pre-employment checks, for example, when we receive references,

confirmation of your fitness to work, your right to work in the UK and criminal records checks.

9 We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.

10 We hold and use your financial information, such as, your bank details, your salary and pension details.

11 Where appropriate, the School will have information about your religious beliefs and practices. For example, if you do not eat certain foods.

12 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.

13 We will hold information about any protected characteristics you may have (e.g. a disability) which you provide, for example on the Equal Opportunities Monitoring Form.

14 Your personal information will be created internally by the School during the course of your employment. An email from the Head to a member of staff complimenting them on class management would be an example of this.

15 Your personal information may be acquired from outside of the School community such as from occupational health practitioners or from public authorities such as the Police or the Local Authority Designated Officer.

16 Pupils will often provide us with your personal information, for example, if a pupil emails their form teacher to say how much you are helping them with their work.

17 Your personal data will be held on the Single Central Register.

Why does the School use your personal information?

18 We commonly use personal information for:

18.1 providing education and support to our pupils;

18.2 ensuring that we provide a safe and secure work environment;

18.3 providing employment services (such as payroll);

18.4 providing training and support;

18.5 protecting and promoting the School's interests and objectives (including fundraising);

18.6 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;

18.7 safeguarding and promoting the welfare of all staff and pupils; and

18.8 fulfilling our contractual and other legal obligations.

19 Some specific examples of when the School uses your personal information are set out below:

19.1 We use your personal information to consider your suitability to work in your role at the School.

19.2 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.

19.3 We will use your personal information in addressing any performance or disciplinary concerns which arise.

19.4 We will use information relating to any medical condition you may have in order to verify fitness to work, monitor sickness absence and comply with our duty of care towards you.

19.5 We will use your information when dealing with complaints and grievances with which you are involved (e.g. from other staff and parents).

19.6 We often use photographs and video recordings of staff, for marketing and promotion purposes. This will include in School publications, in social media and on the School website and Bellevue Hub.

19.7 We will also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper).

19.8 We may also make recordings for teaching purposes, for example, recording a drama lesson to provide feedback to you or pupils. We may also record lessons for professional development purposes and for pupils who were not able to attend in person. Where lessons are recorded for professional development purposes, these may be posted on the Bellevue Hub with your permission.

19.9 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. Further information can be found in the school privacy notices, record retention and information security policies.

19.10 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 will also monitor staff use of the School telephone system and voicemail messages. Staff should be aware that the School will monitor the contents of a communication (such as the contents of an email).

19.11 The purposes of such monitoring and accessing include:

19.11.1 to help the School with its day to day operations. For example, if a member of staff is on holiday or is off sick, their email account may be monitored in case any urgent emails are received; and

19.11.2 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.

19.12 Monitoring will be carried out on a random basis and it may be carried out in response to a specific incident or concern.

19.13 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).

19.14 The monitoring is carried out by the IT Manager & Designated Safeguarding Lead. If anything of concern is revealed as a result of such monitoring then this information may be shared with Headteacher and this may result in disciplinary action. In exceptional circumstances concerns will need to be referred to external agencies such as the Police.

19.15 We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you.

19.16 We will send you information about how to support the School, for example fundraising opportunities.

19.17 We will keep details of your address when you leave our employment so we can send you the Gateway Bulletin and keep in touch.

20 If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract 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?

21 We will need to share your information with:

21.1 the Disclosure and Barring Service (**DBS**), Access Personal Checking Services Ltd **(APCS)** and/or the National College for Teaching and Leadership (**NCTL**) (if applicable) when complying with our legal duty to carry out pre-appointment suitability checks; and

21.2 the DBS and/or NCTL (if applicable) if circumstances arise in which we are required to make a referral to either or both of these bodies.

22 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.

23 Occasionally we may use consultants, experts and other advisors (including legal advisors 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.

24 In accordance with our legal obligations, we will share information with the Independent Schools Inspectorate / Ofsted, for example, during the course of an inspection, and may need to share your information with the Department for Education.

25 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.

26 We may share some of your information with our insurance company, for example, where there is a serious incident at the School.

27 We may share your information with benefits providers, for example, to ensure that you are able to take advantage of the benefit.

28 We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School.

29 If the School is dealing with a complaint or grievance (e.g. from a parent), we will need to share your information with other parties if it is relevant, for example, the appropriate staff at the School and the parents making the complaint.

30 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.

31 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.

32 We may need to share your information with the Local Authority Designated Officer in accordance with our safeguarding obligations.

33 On occasion, 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. In exceptional circumstances CCTV recordings may be disclosed to third parties such as the police.

34 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 you teach.

35 We may need to share your information if there is an emergency, for example, if you are hurt in an accident.

36 We will share information about you with the other schools in the Bellevue Education Group. For example, your email contact, information about your role within the school, information and information relating to the pre-employment checks the School has carried out. (In the event that you are visiting another Bellevue School for example, as part of a Learning Review).

We sometimes use contractors to handle personal information on our behalf. The following are examples:

· Edupay – payroll provider

● iSams - Information Management System.

● InstaWeb IT - IT consultants who might access information about you when checking the security of our IT network; and

● Google Drive and Pupil Asset which we use as third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.

Transfers of your personal information overseas

37 We will send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we store your information on cloud computer storage based overseas as a consequence of our use of Google Docs.

38 The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

39 If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

40 We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Head.

For how long does the School keep staff personal information?

41 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.

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

43 We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School.

Please see our Information and Records Retention Policy for information on how long we keep your personal data for. This can be found here.

Processing in line with your rights

44 From May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

44.1 **Rectification:** if information is incorrect you can ask us to correct it.

44.2 **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. 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.

44.3 **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.

44.4 **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 (please see "Our legal grounds for using your information" below); and (c) the information is being processed by us on computer.

44.5 **Object:** you may object to us using your information where:

44.5.1 we are using it for direct marketing purposes (e.g. to send you the School magazine);

44.5.2 we are relying on either the legitimate interests or performance of a task carried out in the public interest legal ground to use it - please see the section "Our legal grounds for using your information" above;

44.5.3 we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of staff for historical reasons.

44.6 **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.

The School's Finance and Operations Manager can give you more information about your data protection rights. To exercise any of your rights you can submit your request in writing to the Headteacher at Gateway School, 1 High Street, Great Missenden, HP16 9AA.

Our legal grounds for using your information

This section contains information about the legal bases that we are relying on when handling your information as described at paragraphs at paragraphs 17 to 35 above.

Legitimate interests

This means that the School is using your information when this is necessary for the School's legitimate interests except when your interests and fundamental rights override our legitimate interests.

Specifically, the School has a legitimate interest in:

- looking after your welfare and development and the welfare and development of others;
- safeguarding and promoting the welfare of pupils;
- providing an education to pupils;
- using photographs of you for promotional purposes (e.g. on the School's website);
- ensuring the security of the school site which may involve issuing you with a photocard
- promoting the objects and interests of the School. This includes fundraising and using information about you in our publicity material e.g. photographs.
- making sure that you are complying with your employment obligations;
- using your information in connection with legal disputes. For example, if a parent or former pupil brings a claim against the School;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).

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.

The School is relying on legitimate interests for all of the purposes described at paragraphs 17 to 35 above except the purposes described in paragraph 17.8.

Necessary for contract

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:

- we need your name and bank details so that we can pay you your salary;
- we may need to provide your personal information to a pension provider so that you can benefit from your pension entitlement; and

The School is relying on this ground for the purposes described at paragraphs 17.3, 17.6, 17.8, 18.18, 21 and 26 above.

Legal obligation

As a School we have to comply with various laws and this entitles us to use your information where necessary. For example:

- we have to make sure that you have the right to work in the UK;
- to fulfil our duty of care to you and your colleagues;
- we have to fulfil our safeguarding duties towards pupils; and
- sometimes we will be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police. More detail of when we will do so is set out at paragraph 20 above.

The School is relying on this ground for the purposes described at paragraphs 17.6, 17.8, 18.1, 18.2, 20.1, 20.2, 23, 24, 27, 29, 30, 31, and 32 above.

Vital interests

We may use your information where this is necessary to protect your vital interests or someone else's. For example, to prevent someone from being seriously harmed or killed.

Performance of a task carried out in the public interest (or carrying out public tasks)

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

- looking after your welfare and development and the welfare and development of others. This includes equal opportunities monitoring;
- safeguarding and promoting the welfare of our pupils;
- providing pupils with an education;
- ensuring the security of the school site which may involve issuing you with a photocard
- making sure that you are complying with your employment obligations;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

The School is relying on this ground for the purposes described at paragraphs 17.1. 17.2, 17.4, 17.6, 17.7, 18.1, 18.8, 18.9, 18.10, 18.18, 20.1, 20.2, 22, 23, 26, 27, 28, 30, 31, 32, 33, 34 and 35 above.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal 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 grounds that we are relying on to process special categories of personal data are set out below:

Employment, social security and social protection The processing 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. For example, sometimes this would allow us to disclose your information to third parties such as the DBS or occupational health services. More detail of when we will do so is set out at paragraphs 20 and 21 above. The School is relying on this ground for the purposes described at paragraphs 17.2. 17.6, 17.7, 17.8, 18.18, 20.1, 20.2, 22, 23, 26, 27, 30, 31, 32, 33, 34 and 35 above. Vital interests: To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious. Legal claims: The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors 22 and insurers 25 in particular. Medical purposes This includes medical treatment and the management of healthcare services. This is relevant to the purposes described at paragraph 21 in particular. Substantial public interest The School is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "Public interest" in the table above and is relevant to the purposes described at paragraphs 17.1. 17.2, 17.4, 17.6, 17.7, 18.1, 18.8, 18.9, 18.10, 18.18, 20.1, 20.2, 22, 23, 24, 26, 27, 28, 30, 31, 32, 33, 34 and 35 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.

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 interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the grounds in the table above. 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. You can speak to the Head if you would like to withdraw any consent given.

Multiple legal grounds

As you will see from the table above, in some cases we will rely on more than one of the grounds above for a particular use of your information. For example we will rely on legitimate interests and public interest grounds when using your information in connection with educating our pupils.

The ground that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the local authority something about a safeguarding concern, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

Further information

45 This privacy 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.

46 **Contact:** If you would like any further information about anything within this notice please contact the Head Office - contact details are Bellevue Education, 1 Wolsey Road, Hampton Court, East Molesey, Surrey, KT8 9EL.

47 Please speak to the Head if:

47.1 you would like us to update the information we hold about you; or

47.2 you would prefer that certain information is kept confidential.

48 **ICO:** If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office: ico.org.uk.