

Privacy Notice for Staff, Other Staff & Volunteers

1. Introduction

1.1 Reed's School is a registered educational charity based in Cobham, charity number 312008. Ripley Court School is part of Reed's School and as such this policy will also apply to all Ripley Court staff and volunteers. For the purposes of the Data Protection Law, Reed's School (the School) is a data controller.

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

1.3 This Privacy Notice applies to staff at the School, including: employees, visiting music teachers and other peripatetic workers, 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. Please note that, even if this Notice applies to you, references to "employment", "staff" etc. in this Notice are not intended to imply or confer any employment rights on you if you are a contractor, non-employed worker, or job applicant.

1.4 This Privacy Notice applies alongside any other information the School may provide about a particular use of personal data, for example when collecting data via an online or paper form.

1.5 While pandemic conditions persist, the School may need to collect, share and otherwise process personal data in accordance with Government guidance. This may be for reasons not specifically set out in this Privacy Notice but always for the purposes of protecting public and individual health by seeking to limit the spread of coronavirus (COVID-19). These are detailed in the School's COVID-19 Testing Privacy Statement.

1.6 This 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 retention of records policy;
- the School's Safer Recruitment policy and procedure;
- the School's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded (both by and about staff); and
- the School's IT policies, including its Acceptable Use policy.

1.7 Please note that your contract with the School, including any document or policy forming a part of your contractual obligations to the School, may be relevant to and supplement the information in this Privacy Notice, in 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 Privacy Notice is the primary document applicable to the use of your personal data by the School.

2. How the School collects personal data

2.1 The School may collect your personal data in a number of ways, for example:

- from the information you provide to us before or whilst making a formal job application, for example when you come for an interview, and the information that you provide in application forms and covering letters, etc.; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), or (if you are a contractor or temp) your own employer or agent, in order to verify details about you and/or your application to work for us.
- from online searches, which may be carried out at the shortlisting stage of a job application or after an offer of employment has been made (but prior to work commencing). Please see the Safer Recruitment Policy and Procedure for details.

2.2 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 performance appraisals;
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on school systems; and
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant.

3. The types of information we collect

3.1 We may collect the various types of personal data about you (and your family members and 'next of kin', where relevant). This will include by way of example:

- contact and communications information, including:
 - your contact details (including email address(es), telephone numbers and postal address(es);
 - contact details 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;
 - 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 or invoices and processing other payments);
 - your tax status (including residence status) and information related to pensions, national insurance, or employee benefit schemes and where relevant Gift Aid declarations;
- work related information, including:
 - details of your work history and references from your previous employer(s);
 - your personal data captured in the work, 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);
 - nationality and other immigration status information (ie about your entitlement to work in the UK), including copies of passport information (if applicable);
- and any other information relevant to your employment or other engagement to work for the school.

3.2 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 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, where necessary for school security systems;
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations); and
- information concerning your racial or ethnic origin or sexual life or orientation (only in the course of investigating complaints made by you or others, for example concerning discrimination).

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.

4. How the data is used and the lawful bases for processing

4.1 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 prior to entering into a contract or other engagement. 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 performance appraisals;
- promoting the School to prospective parents and others, including by publishing the work 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.

4.2 *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 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:

- for security purposes, including by operating security CCTV cameras in various locations on the School's premises and to operate any door access systems that rely on biometric information;
- 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, including where such services are provided remotely (either temporarily or permanently) and 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 'next of kin' for business continuity purposes, to confirm your absence from work, etc.;
- publishing your image and likeness in connection with your employment or engagement with us; and
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT: acceptable use policy and government guidance such as KCSIE.

4.3 Legal Obligations

We also process your personal data for our compliance with our legal and regulatory obligations. In this respect, we use your personal data for the following:

- to meet our legal obligations (for example, relating to child welfare, social protection, equality, and gender pay gap monitoring, employment, immigration / visa sponsorship compliance 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; and
- 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.

4.4 Special categories of data

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) as detailed in the Safeguarding Policy or in the Staff Disciplinary, Grievance, Whistleblowing and Capability policies; or to comply with public health requirements (eg in respect of Covid-19 (or in similar circumstances); or
- it is necessary for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you.

Depending on your role, 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 or engagement.

- 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. This may include Covid-19 (or similar) testing: including managing on-site testing and /or processing the results of tests taken by staff, and sharing this information with relevant health authorities;
- 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, agent or contractor and our obligations as an employer or engager of your services;
- categories of your personal data which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment; and

- 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).

5. Sharing your information with others

5.1 We may share your personal data with certain third parties for the purposes referred to in this privacy notice. 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 (e.g. third parties processing data on our behalf as part of administering the provision of benefits including pensions, IT systems etc. Although this is not sharing your data in a legal sense, as these are considered data processors on our behalf and are as such subject to contractual assurances that personal data will be kept securely and used only in accordance with the School's specific directions);
- companies or organisations providing educational resources or services e.g. educational software providers, school trip providers and co-curricular providers such as the Duke of Edinburgh award scheme;
- professional advisers and independent panel members appointed by the School where it is necessary for us to obtain their advice or assistance (e.g. 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;
- appropriate regulatory bodies and external auditors (e.g. the Independent Schools Inspectorate and the Charity Commission);
- DBS and other relevant authorities and agencies such as the Department for Education, NCTL, the Home Office, relevant public health / NHS agencies, the ICO, and the local authority;
- 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.

5.2 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. References given or received in confidence may not be accessible under your Data Protection Law rights.

6. How long your information is kept

6.1 Subject to any other notices that we may provide to you, we will typically retain your personal data for a period of seven years after your contract of employment (or equivalent agreement) has expired or been terminated; however, some information may be retained for longer than this in accordance with specific legal requirements, for example incident reports or information that may be relevant to safeguarding cases.

6.2 Personal data relating to unsuccessful job applicants is deleted within one year except where we have notified you that we intend to keep it for longer (and you have not objected).

6.3 Please see our Retention of Records Policy for further information.

7. Data accuracy and security

7.1 The School will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the Human Resources Manager of any significant changes to important information held about them, such as contact details.

7.2 The School will take appropriate technical and organisational steps to protect the personal data about individuals, including policies around the use of technology and devices, and access to school systems. All staff will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

8. Your rights

8.1 Individuals have various rights under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it. These rights are subject to certain exemptions and limitations.

8.2 Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Human Resources Manager.

8.3 The School will endeavour to respond to any such requests as soon as is reasonably practicable and within statutory time-limits (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer). The School will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where Data Protection Law allows it, and in accordance with relevant regulatory guidance).

8.4 The limitations and exemptions to these rights are as follows. The right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals, information which is subject to legal privilege and any confidential reference held by the school that was (or will be) given for the purposes of the training, appointment or employment of any individual. We will sometimes have compelling reasons to refuse specific requests to delete or stop processing your personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. Where the School is relying on consent as a means to process personal data, any person may withdraw this consent at any time.

9. This policy

9.1 The School will update this 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. Minor changes will be made as needed, with the latest version always being available on Firefly and on the Reed's and Ripley Court websites.

10. Contact and complaints

10.1 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 Human Resources manager at HR@reeds.surrey.sch.uk.

10.2 If you are not satisfied with how we are processing your personal data, you should utilise the School's grievance procedure and also notify the Privacy Officer, at privacyofficer@reeds.surrey.sch.uk. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/>, although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

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