



ST LAWRENCE  
COLLEGE

# **How We Use Your Information Privacy Notice for Staff**

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**Independent Day and Boarding School for Boys and Girls**

**St Lawrence College**

August 2017

## **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 please contact the Bursar.
- 3 This notice is aimed at all School staff (including Governors, 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.

## **What is personal information?**

- 4 Personal information is information which is about you and from which you can be identified.
- 5 This includes your contact details, next of kin and financial information. We may 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?**

- 6 We set out below examples of the personal information the School holds about you and where this personal information comes from.
- 7 Information about you is gathered during the recruitment process:
  - 7.1 such as information about your education, qualifications and professional achievements;
  - 7.2 you will provide certain information to us, for example, on your application form and during any interviews;
  - 7.3 we may obtain information from publicly available sources such as your social media profiles; and
  - 7.4 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.
- 8 We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.
- 9 We hold and use your financial information, such as, your bank details, your salary and pension details.
- 10 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.
- 11 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.

- 12 Your personal information may 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.
- 13 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.
- 14 Pupils may 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.

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

- 15 We commonly use personal information for:
  - 15.1 ensuring that we provide a safe and secure work environment;
  - 15.2 providing employment services (such as payroll and references);
  - 15.3 providing training and support;
  - 15.4 protecting and promoting the School's interests and objectives (including fundraising);
  - 15.5 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;
  - 15.6 safeguarding and promoting the welfare of all staff and pupils; and
  - 15.7 fulfilling our contractual and other legal obligations.
- 16 Some specific examples of when the School uses your personal information as set out below:
  - 16.1 We use your personal information to consider your suitability to work in your role at the School.
  - 16.2 We may use your personal information in addressing performance or disciplinary concerns.
  - 16.3 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.
  - 16.4 We may use photographs and video recordings of you for marketing and promotion purposes including in School publications, in social media and on the School website.
  - 16.5 We may also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper).
  - 16.6 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 pupils who were not able to attend in person.
  - 16.7 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 about the use of CCTV can be found in the School's CCTV policy (a copy of which is published on the School's website).

- 16.8 The School regularly monitors and accesses the School 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. As such, staff should not have any expectation of privacy with regards to the School IT system. The purposes of such monitoring and accessing include:
- 16.8.1 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
  - 16.8.2 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.
- 16.9 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).
- 16.10 The monitoring is carried out by the IT Manager. If anything of concern is revealed as a result of such monitoring then this information may be shared with the principal, Head of the junior School, Bursar and Dep Hd (SS) and this may result in disciplinary action. In exceptional circumstances concerns may need to be referred to external agencies such as the Police.

#### **How does the School share staff personal information with third parties?**

- 17 We may need to share your information with the Disclosure and Barring Service (**DBS**) or the National College for Teaching and Leadership (**NCTL**) when carrying out safer recruitment checks or in making a referral to the DBS or the NCTL.
- 18 Occasionally we may use consultants, experts and other advisors (including legal advisors) to assist us in fulfilling our obligations and to help run the School properly. We might need to share your information with them if this is relevant to the work they carry out.
- 19 In accordance with our legal obligations, we may share information 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. If you are employed by us under Tier 2 or Tier 5 we might have to provide information about you to UK Visas and Immigration to comply with our duties as a Tier 2/5 sponsor.
- 21 We may share some of your information with our insurance company or benefits providers, for example, where there is a serious incident at the School.
- 22 We may share personal information about staff with the relevant statutory agencies who may need this information to investigate allegations of misconduct.
- 23 We may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders.
- 24 CCTV recordings may be disclosed to third parties such as the police.

- 25 We may need to share your information if there is an emergency, for example, if you are hurt whilst on School premises.

### Transfers of your personal information overseas

- 26 We may send your information to, or store your information in, other countries. For example, when we email people abroad or store information on computer servers based overseas.

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

- 27 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.
- 28 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.
- 29 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.

The table below shows for how long we keep different types of your information.

Basic file description	Statutory Provisions	Retention Period [operational]
Timesheets, sick pay	Financial Regulations	Current year + 6 years
Staff Personal files		Termination + 7 years
Interview notes and recruitment records		Date of interview + 6 months
Pre-employment vetting information (including DBS checks)	DBS guidelines	Date of check + 6 months
Disciplinary proceedings:		
<ul style="list-style-type: none"> <li>• <i>Oral warning</i></li> </ul>		Date of warning + 6 months
<ul style="list-style-type: none"> <li>• <i>written warning – level one</i></li> </ul>		Date of warning + 6 months
<ul style="list-style-type: none"> <li>• <i>written warning – level two</i></li> </ul>		Date of warning + 12 months
<ul style="list-style-type: none"> <li>• <i>final warning</i></li> </ul>		Date of warning + 18 months
<ul style="list-style-type: none"> <li>• <i>case not found</i></li> </ul>		DESTROY immediately at the conclusion of the case
Records relating to accident/injury at work		Date of incident + 12 years
Annual appraisal/assessment records		Current year + 5 years
Salary records		Last date of employment + 85 years

Maternity pay records	Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960), revised 1999 (SI 1999/567)	Current year, +3yrs
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995		Current year + 6 years

## Processing in line with your rights

- 30 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:
- 30.1 if information is incorrect you can ask us to correct it;
  - 30.2 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;
  - 30.3 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;
  - 30.4 you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;
  - 30.5 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 Bursar can give you more information about your data protection rights.

## Our legal grounds for using your information

This section contains information about the legal basis that we are relying on when handling your information.

### Legitimate interests

This means that the processing is necessary for legitimate interests except where the processing is unfair to you. We rely on legitimate interests for most of the ways in which the School uses your information.

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 its 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.
- 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.

In addition your personal information may be processed for the legitimate interests of others. For example with external activity providers, for example in the event they need to contact you directly or for their own emergency or insurance purposes.

If you object to us using your information where we are relying on our legitimate interests as explained above please speak to the Bursar.

#### Contractual obligation

We will need to use your information in order to comply with our contractual obligations. 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;
- we also need to use your personal information to provide contractual benefits, such as a school fee discount.
- [• if we provide you with accommodation under your contract we will use your personal information as part of this provision].

#### 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;
- we have to fulfil our safeguarding duties towards pupils; and
- we may be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police.

#### 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.

#### Public interest

The School considers that it is acting in the public interest when providing education. We therefore use your information for the public interest when facilitating our teaching requirements, for example, to help us decide which member of staff will teach a particular class based on skills, experience, qualifications and so on.

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.

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 and insurers.

Medical purposes

This includes medical treatment and the management of healthcare services.

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 Bursar if you would like to withdraw any consent given.

### Further information

- 31 **Contact:** If you would like any further information about anything within this notice please contact the Bursar.
- 32 Please speak to the Bursar if:
  - 32.1 you object to us using your information for marketing purposes e.g. to send you information about school events; or
  - 32.2 you would like us to update the information we hold about you; or
  - 32.3 you would prefer that certain information is kept confidential.
- 33 **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](http://ico.org.uk).