



How We Use Your Information Privacy Policy for Staff

Royal Grammar School, Guildford

August 2023

Introduction

- 1 This policy 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 policy please contact the Bursar.
- 3 This policy is aimed at all School staff (including Governors, volunteers and certain contractors) and applicants for employment vacancies. This privacy policy does not form part of your contract of employment and the School may amend this policy 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 qualifications and where you have previously worked. 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 e.g. LinkedIn; 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. This will also include the results of Covid-19 tests and any requirement to self-isolate or quarantine.
- 11 We may hold your biometric information in the form of information about your fingerprint to allow you to access various school buildings. Please see 17.11 below for more information.
- 12 We will hold information about any protected characteristics you may have (e.g. a disability) which you provide to us.

- 13 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.
- 14 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.
- 15 Students may provide us with your personal information, for example, if a student emails their form teacher to say how much you are helping them with their work.

Why does the School use your personal information?

- 16 We commonly use personal information for:
 - 16.1 Ensuring that we provide a safe and secure work environment;
 - 16.2 Providing employment services (such as payroll and references);
 - 16.3 Providing training and support;
 - 16.4 Protecting and promoting the School's interests and objectives;
 - 16.5 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;
 - 16.6 Safeguarding and promoting the welfare of all staff and students; and
 - 16.7 Fulfilling our contractual and other legal obligations.
- 17 Some specific examples of when the School uses your personal information as set out below:
 - 17.1 We use your personal information to consider your suitability to work in your role at the School.
 - 17.2 We may use your personal information in addressing performance or disciplinary concerns.
 - 17.3 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.
 - 17.4 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.
 - 17.5 We may also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper).
 - 17.6 We may also make recordings for teaching purposes, for example, recording a drama lesson or a sports match to provide feedback to you or students.
 - 17.7 We use CCTV recordings for the purposes of crime prevention and investigation and also in connection with our obligation to safeguard the welfare of students, 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).

- 17.8 The School may monitor and log access to 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. 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:
- 17.8.1 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
- 17.8.2 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.
- 17.9 The School also uses software which automatically records access to the School IT system (for example, it would record if a member of Staff visited a blocked website or sent an email containing an inappropriate word or phrase).
- 17.10 If a review or investigation is considered necessary the monitoring is carried out by the Director of IT at the request of the Headmaster, Bursar or someone acting on their behalf. If anything of concern is revealed as a result of such monitoring then this information may be shared with the Bursar or Headmaster and this may result in disciplinary action. In exceptional circumstances concerns may need to be referred to external agencies such as the police.
- 17.11 The School may use information taken from your fingerprint to allow you to access certain buildings on the School site. The purpose of this is to keep the School site secure. The School's system keeps a record of who has used the fingerprint scan which means that we can check if you have entered a building. However, the School does not use this information to monitor your whereabouts or hours at work.
- 17.12 We will share your details with the Foundation who carry out fundraising and development on behalf of the School. The Foundation has its own privacy notice which explains how it uses your information and this can be found on the Foundation's website.

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

- 18 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.
- 19 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.
- 20 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.
- 21 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.

- 22 We may share information about you between RGS Prep and RGS Guildford where this is necessary. For example, information about which students you teach and/or information relating to the pre-employment checks the School has carried out.
- 23 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.
- 24 We may share personal information about staff with the relevant statutory agencies who may need this information to investigate allegations of misconduct.
- 25 In order to comply with regulations to report, track and trace positive cases of Covid 19 we may need to share details with the appropriate bodies such as the NHS, PHE or the DfE.
- 26 We may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders.
- 27 CCTV recordings may be disclosed to third parties such as the police.
- 28 We may need to share your information if there is an emergency, for example, if you are hurt whilst on School premises.
- 29 We sometimes use contractors to handle personal information on our behalf. The following are examples:
- 29.1 our payroll provider;
- 29.2 IT consultants who might access information about you when checking the security of our IT network; and
- 29.3 we use 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

- 30 We may send your information to countries which do not have the same level of protection for personal information as there is the UK. For example, we may:
- 30.1 store your information on cloud computer storage based overseas; or
- 30.2 communicate with you when you are overseas (for example, when you are on holiday).
- 31 The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [Adequacy data protection list \(europa.eu\)](https://ec.europa.eu/eu-justice/justice-portal/topics/data-protection/adequacy-data-protection-list_en)
- 32 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.
- 33 We will provide you with details about the safeguards which we have in place outside of this privacy policy. If you have any questions about the safeguards that are in place, please contact the Bursar.

For how long does the School keep staff personal information?

- 34 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.
- 35 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.
- 36 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.
- 37 Please see the School's Acceptable Use of ICT Policy which is published on the intranet for details about for how long we keep different types of information about you.

Processing in line with your rights

- 38 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:
- 38.1 if information is incorrect you can ask us to correct it;
- 38.2 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;
- 38.3 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;
- 38.4 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;
- 38.5 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 students;
- 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 staff photocard;
- promoting the objects and interests of the School.
- 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 student 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 students; 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.

Public interest in the area of public health

The School may process special categories of personal information where this is necessary for reasons of public interest in the area of public health. This allow us to share such information with third parties such as local and health authorities where this is necessary to safeguard public health.

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:

Consent

From 25 May 2018 a change in the law means that we will rely on your consent to use your biometric information. This is the information which we hold about your fingerprint which grants you access to certain buildings around the School site.

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

- 39 **Contact:** If you would like any further information about anything within this policy please contact the Bursar.
- 40 Please speak to the Bursar if:
- 40.1 you object to us using your information for marketing purposes e.g. to send you information about School events; or
 - 40.2 you would like us to update the information we hold about you; or

40.3 you would prefer that certain information is kept confidential.

41 **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

