

# BRYANSTON

## PRIVACY NOTICE PART B - STAFF

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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.

The policy on informing staff on how to handle the personal data is covered by the School’s Data Protection Policy.

### **Who this document applies to?**

Academic and other staff, contractors, visiting music teachers and other peripatetic workers, 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. This also applies to Governors, trustees and any directors.

Please note that any 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, even if the Notice is relevant to how we process your personal data.

### **About this document**

This Staff Privacy Notice explains how the School collects, uses and shares personal data of staff, and your rights in relation to the personal data we hold.

This Privacy Notice applies alongside **Bryanston’s Privacy Notice Overview Part A** and any other relevant terms and conditions and Policies, including:

- the Contract or Terms of Engagement between the School and the employee; and the Staff Handbook;
- the School’s policy on Taking, Storing and Using Images of Pupils;
- the School’s CCTV and/or Biometrics Policy;
- the School’s Records Management Policy;
- the School’s Safeguarding, Pastoral, or Health and Safety Policies, including as to how concerns or incidents are recorded; and
- the School’s IT Policies.

Please note that your contract with or engagement by the School, including any document or policy forming part of your contractual obligations to the School, may in particular be relevant to (and supplement the information in) this Privacy Notice, to the extent 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 in terms of how we notify you about the use of your personal data by the School.

### **HOW THE SCHOOL COLLECTS YOUR INFORMATION**

Generally, the School receives Personal Data from the individual directly. We may collect this data in a number of ways, for example:



- from the information you provide to us in connection with a job application, for example when you come for an interview;
- when you submit a formal application to work for us, and provide your personal data 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 a substitute) your own employer or agent, in order to verify details about you and/or your application to work for us.

More generally, during the course of your employment with us, as a member of staff, we will collect data from you, including:

- when you provide and 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 the School systems;
- as a result of your employment the School also generates employee Personal Data in relation to appraisals, grievances and disciplinary and safeguarding incident investigations.
- In various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.

### **THE TYPES OF INFORMATION THE SCHOOL COLLECTS**

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

#### Contact and communications information, including:

- your contact details (including email address(es), telephone numbers and postal address(es);
- contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass 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;
- lifestyle information and social circumstances;
- 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);
- (Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings));
- information related to pensions, national insurance, or employee benefit schemes:

#### Work related information, including:

- details of your work history and references from your previous employer(s);
- your personal data captured in the work product(s), 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 and after leaving the School, where relevant (for example, where you have asked us to keep in touch with you);

and any other information relevant to your employment or other engagement to work for the School.

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

### **The basis for processing your personal data, how that data is used and whom it is shared with**

#### **(i) 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 at your request prior to entering into a contract, such as a contract of employment or other engagement with us. In this respect, depending on your role and status, we are likely to use your personal data for the following purposes:

- 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 employment 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 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 product(s) 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.

#### **(ii) 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 ethical, educational, charitable, legal and regulatory duties and



requirements (whether or not connected directly to data protection law). In this respect, depending on your role and status, we are likely to use your personal data for the following:

- providing you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- for security purposes, including by operating security cameras in various locations on the School's premises;
- 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'
- to safeguard pupil's 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 family members and '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;
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's ICT Policy and government guidance such as KCSIE.

### **(iii) Legal Obligations**

We also process your personal data for our compliance with our legal obligations, notably those in connection with your employment, tax law and accounting, and child welfare. In this respect, depending on your role and status, we are likely to use your personal data for the following:

- To meet our legal obligations (for example, relating to child welfare, social protection, diversity, equality, and gender pay gap monitoring, employment, 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;
- 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.

### **(iv) Special categories of data**

Depending on your role and status, we process special categories of personal data (such as data concerning health, religious beliefs, racial and 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.

In particular, we process the following types of special category personal data for the following reasons:

- 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;
- 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 engage 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;
- data about any criminal convictions or offences committed by you, for example 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);

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 work-place 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);
- 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.

### **SHARING YOUR INFORMATION WITH OTHERS**

For the purposes referred to in this Privacy Notice and relying on the bases for processing as set out above, the School will need to share personal information with certain third parties. The School may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including with:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- other employees, agents and contractors (e.g. third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- when the School is legally required to do so (by court order, government body, law enforcement agency or other authority of competent jurisdiction), for example, HMRC, DBS, police or the local authority);
- external auditors or inspectors;

Examples of a third party is, but not limited to, (and will change from time to time):

- Sd-worx (PHR and payroll solutions provider)
- Cylix (on-line training portal)
- CIPHR, (cloud-based HR resource management solution);
- Compleat (Accounting records management database).

Full details of the School's third-party processors can be made available upon request to the Data Protection Officer.

The School 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 GDPR rights.

However, for the most part, Personal Data collected by the School will remain within the School and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis).



All employees are reminded that the school is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#)) to record or report incidents and concerns related to child safeguarding that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes within the employee and safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the School's Safeguarding Policy.

### **HOW LONG YOUR INFORMATION IS KEPT**

The School will retain Personal Data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from the school. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. Further details can be found within the Schools Records Management Policy.

If you wish to request that Personal Data you no longer believe to be relevant is considered for erasure, please contact the School's Data Protection Officer. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some data.

### **YOUR RIGHTS**

Employees 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 for the School to stop processing it, but subject to certain exemptions and limitations.

You have the following rights:

- To obtain access to, and copies of, the personal data that we hold about you;
- To require us to correct the personal data we hold about you if it is incorrect;
- To require us (in certain circumstances) to erase your personal data;
- To request that we restrict our data processing activities (and where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- To receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purposes of you transmitting that personal data to another data controller;
- To object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and the School may be entitled to refuse request where exceptions apply. The School will endeavour to respond to any such requests as soon as is reasonably practicable and in any event 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).

### **CONSENT**

Where the School is relying on consent as a means to process Personal Data, the staff member who gave the consent can withdraw it at any time. Please be aware however that the School may have another lawful reason to process the Personal Data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice or may otherwise exist under some form of contract or agreement with the individual.



The following processing activity is subject to employee consent:

- Biometric data for building access;
- Employee photograph on the School's website.

### **CONTACT AND COMPLAINTS**

If you have any queries or complaints 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 Data Protection Officer, by post: Bryanston School, Blandford Dorset DT11 0PX, by email: [dpo@bryanston.co.uk](mailto:dpo@bryanston.co.uk), by phone: + 44 (0)1258 452411.

Whilst you have the right to raise a complaint with the Information Commissioners Office (ICO), the School would ask that in the first instance contact is made with the Data Protection Officer.

### **MONITOR AND REVIEW**

This Notice will be reviewed annually by the person responsible, namely the Data Protection Officer whose contact details are provided above.

Reviewed: May 2019  
Reviewer: G7  
Next Review: May 2020  
Author: Data Protection Officer

