

## Jack & Jill Family of Schools: How We Use Your Information – Privacy Notice for Staff

### Introduction

- 1 This Privacy Notice (**Notice**) is to help you understand **how** and **why** we collect personal data about you and **what** we do with that information. It also explains the decisions that you can make about your information.
- 2 This Notice is aimed at all School staff (including employees, work experience students, volunteers and certain contractors and agency staff) and applicants for employment vacancies. This Notice does not form part of your contract of employment (or, in the case of volunteers, the volunteer agreement) and the School may amend this Notice at any time.

### What is "personal data"?

- 3 Personal data is information that is about you and from which you can be identified.
- 4 This includes your contact details, next of kin and financial information. CCTV images, photos and video recordings of you are also your personal data.

### What personal data does the School hold about you and how is this obtained?

- 5 Information about you is gathered during the recruitment process for example:
  - 5.1 information about your education, qualifications and professional achievements;
  - 5.2 when you provide certain information to us, for example, on your application form and during any interviews;
  - 5.3 when we obtain information from publicly available sources such as your professional and social media profiles; and
  - 5.4 when we receive your personal data (from you and third parties) in carrying 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.
- 6 We will hold information about your performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.
- 7 We hold and use your financial information such as your bank details, your salary and pension details.
- 8 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 other stage of your involvement with the School.
- 9 Your personal data will be created internally by the School during the course of your employment or whilst you are volunteering with the School. An email from the Principal to a member of staff complimenting them on class management would be an example of this.

- 10 Your personal data 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.
- 11 Pupils may provide us with your personal data, for example, if a pupil tells us how much you are helping them with their work.
- 12 Your personal data will be held on the School's Single Central Register, which is managed internally.

### The purposes for which we use your information and the lawful bases

- 13 We use your information in order to:
  - 13.1 if you are an employee, make sure that you are complying with your employment obligations and that the School is complying with its employment obligations;
  - 13.2 look after your welfare and development and the welfare and development of others such as our pupils;
  - 13.3 provide an education to pupils;
  - 13.4 enable the School to comply with its legal obligations, to assist the School regarding the management and operation of the School and to advance and protect the School's interests, objects and reputation; and
  - 13.5 fundraise, market and promote the School. For example, by using photographs of our staff in the School prospectus, on the School's website or in social media.
- 14 Our lawful bases for using your personal data are as follows:
  - 14.1 **Contract:** We need to use your information in order to comply with our contractual obligations and for you to perform your obligations as well. This includes where you have asked us to do something before entering into a contract. If we do not have a contract with you, for example, if you are a volunteer, we will not rely on the contractual basis to use your information.
  - 14.2 **Legitimate interests:** This means that the School is using your personal data where this is necessary for the School's legitimate interests or someone else's legitimate interests. Specifically, the School has a legitimate interest in educating and looking after its pupils, complying with its agreement with parents for their child to be at the School, making sure that we are able to enforce our rights against you, for example, so that we take disciplinary action where appropriate, investigating if something has gone wrong and protecting the School (e.g. if you make a complaint), and promoting and improving the School. In addition your personal data 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. This basis applies to all of the purposes set out at paragraph 13.
  - 14.3 **Public task:** This allows the School to use personal data where doing so is necessary in order to perform a task in the public interest. This basis applies when the School is using personal data in order to educate and look after its pupils. This means that this basis applies when we use personal data for the purposes set out in paragraphs 13.1 to 13.4 above.

- 14.4 **Legal obligation:** As a School we have to comply with various laws and this entitles us to use your information where necessary. For example to fulfil our safeguarding duties towards pupils.
- 14.5 **Vital interests:** In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

The section below contains more information about our purposes for using your personal data and the lawful bases.

### **Our purposes and lawful bases in more detail**

This section contains more detail about the purposes for which your personal data is used, the applicable lawful basis or bases as well as further information about sources and recipients. It does not say anything different to what's set out above but goes into a lot more detail.

We have used a colour code system so that you can see which bases we are relying on for each of the purposes described in paragraph 13 above. **LI** means legitimate interests, **CT** means contract, **PI** means public task, **LO** means legal obligation and **VI** means vital interests. So if we have (**LI**, **PI**) that means we are relying on both legitimate interests and public task for that purpose.

#### 15 We commonly use personal data for:

- 15.1 providing education and support to our pupils (**LI**, **PI**);
- 15.2 fulfilling our safeguarding duties towards pupils and others (**LI**, **PI**, **LO**);
- 15.3 ensuring that we provide a safe and secure work environment (**LI**, **PI**);
- 15.4 if you are an employee, providing employment services (such as payroll) (**LI**, **CT**);
- 15.5 if you are an employee, to pay you your salary and to provide contractual benefits, such as a pension contribution (**LI**, **CT**);
- 15.6 reimbursing your expenses (**CT**, **LI**);
- 15.7 providing supervision, training and support (**LI**, **PI**);
- 15.8 protecting and promoting the School's interests and objectives (including fundraising) (**LI**, **PI**);
- 15.9 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 (**LI**, **CT**, **LO**, **PI**);
- 15.10 safeguarding and promoting the welfare of, staff, pupils and others. This includes equal opportunities monitoring (**LI**, **PI**);
- 15.11 making sure that you are complying with your obligations (**LI**, **CT**, **PI**), and
- 15.12 fulfilling our contractual and other legal obligations (**CT**, **LO**).

#### 16 Some specific examples of when the School uses your personal data are set out below:

- 16.1 We use your personal data to consider your suitability to work in your role at the School or volunteer in the School, for example we will receive references about you which will be treated in confidence. (LI, LO, PI).
- 16.2 If you are a volunteer, we will use your personal data when drawing up a rota (LI, PI, LO).
- 16.3 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 (LI, LO).
- 16.4 We will use your personal data in addressing any performance or disciplinary concerns which arise (LI, PI).
- 16.5 We will use your personal data in order to fulfil our duty of care to you and colleagues. This includes using 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 (LI, LO).
- 16.6 We will use your information when dealing with complaints and grievances with which you are involved (e.g. from other staff, pupils and parents) (LI, PI).
- 16.7 ensuring the security of the school site which may involve issuing you with an ID badge (LI, PI).
- 16.8 We often use photographs and video recordings of staff, for marketing and promotion purposes. This will include in School publications, such as the annual magazine and the weekly newsletter, in social media and on the School website (LI).
- 16.9 Where appropriate, the School will have information about your religious beliefs and practices to help the School accommodate your needs. For example, if you do not eat certain foods. (LI, PI).
- 16.10 We will also allow external publication of certain media where appropriate (for example, a photograph or article in a local newspaper) (LI).
- 16.11 We may also make recordings for teaching purposes, for example, recording a drama lesson to provide feedback to you or pupils. Due to the outbreak of COVID-19, we sometimes live stream and record lessons for remote learning. We have a specific privacy notice about this which contains further information. This can be found on SharePoint and on the School website. (PI).
- 16.12 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 (LI, PI).
- 16.13 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 may also monitor staff use of the School telephone system and voicemail messages. Staff should be aware that the School may monitor the contents of a communication (such as the contents of an email). (LI, PI).
- 16.14 The purposes of such monitoring and accessing include:

- 16.14.1 to help the School with its day to day operations. For example, in the event of staff absence, the service email account will be monitored to respond to urgent queries (LI); and
- 16.14.2 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 (LI).
- 16.15 Monitoring may be carried out on a random basis and it may be carried out in response to a specific incident or concern.
- 16.16 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).
- 16.17 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 and HR Manager and this may result in disciplinary action. In exceptional circumstances concerns will need to be referred to external agencies such as the Police.
- 16.18 We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you (LI).
- 16.19 We will send you information about how to support the School, for example fundraising opportunities (LI).
- 16.20 If you are an employee, we will keep details of your address when you leave our employment so we can send you the annual School magazine and keep in touch (LI).
- 16.21 If we provide you with accommodation under your contract of employment we will use your personal data as part of this provision (LI, CT, PI).
- 16.22 We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes. This includes the School's legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the School and the wider school community's identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use. For example, we keep some old photographs so that we have a record of what the School was like in the past (LI, PI).
- 16.23 Information held in our archive may be made publicly available but this would only be done in compliance with data protection laws.
- 16.24 We may use your information in connection with legal disputes. For example, if a parent or former pupil brings a claim against the School (LI, CT, PI, LO).
- 16.25 We will also hold information such as your religion or ethnic group to ensure that we respect your beliefs and customs (e.g. dietary requirements). We collect information about ethnic group so that we may ensure that all groups have the opportunity to achieve as they should and investigate if there are any discrepancies (LI, PI).

- 16.26 We will use your personal data to take other steps to make sure the school site and buildings are safe, for example, we keep a record of who is on the school sites at any given time (LI, PI).
- 16.27 We may use your personal data in order to help make the School better, for example, to raise money for the School, for example, to send you information about how you can donate to the School (LI).
- 16.28 We may use your information in connection with legal disputes (LI, PI, LO).
- 16.29 We will hold information about any protected characteristics you may have (e.g. a disability). This helps us make reasonable adjustments. (LI, PI, LO).
- 17 We will need to share your information with:
  - 17.1 the Disclosure and Barring Service (**DBS**), Due Diligence Checking Ltd and / or the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership) (if applicable) when complying with our legal duty to carry out pre-appointment suitability checks (LI, LO, PI); and
  - 17.2 the DBS and / or Teaching Regulation Agency (if applicable) if circumstances arise in which we are either required to make a referral to either or both of these bodies or we consider it to be appropriate in the circumstances to do so (LI, LO, PI).
- 18 Where you are employed by us in order 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 (LI, CT).
- 19 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 (LI, PI).
- 20 In accordance with our legal obligations, we will share information with Ofsted, for example, during the course of an inspection, and may need to share your information with the Department for Education (LI, LO, PI).
- 21 If we employ you we must check if you can work in the UK before we employ you.
- 22 We may share some information with our insurance company to make sure that we have the insurance cover that we need or in connection with an actual or possible claim (LI, PI).
- 23 We may share your information with benefits providers, for example, to ensure that you are able to take advantage of the benefit (if applicable) (LI, CT, PI).
- 24 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 (LI, LO, PI).
- 25 If the School is dealing with a request for information, query, complaint or grievance (e.g. from a colleague or a parent), we may need to share your information with other parties if it is relevant and appropriate to do so. For example, with the appropriate staff, the colleague, pupil or parent involved (LI, PI). We will also share information with others in the School, such as your line manager and the owners, for example, if it would be appropriate to inform them about something which has happened.

- 26 Some of the records the School keeps and which contain your personal data may be used by the School (or by someone else such as the government) to check that the School has been a good school (LI, PI).
- 27 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 (LI, LO).
- 28 We may share your information with the other schools in the group. For example, information about which pupils you teach and/or information relating to the pre-employment checks the School has carried out (LI, PI).
- 29 If ever in the future, we are considering restructuring or selling our business we may share your information with the other parties involved and with the relevant professional advisors (LI).
- 30 We will share personal data about staff (including volunteers) with the relevant statutory agencies if it is appropriate to share this information to investigate allegations of misconduct (LI, LO, PI).
- 31 We may need to share your information with the Local Authority Designated Officer in accordance with our safeguarding obligations (LI, LO, PI).
- 32 On occasion, we may need to share your information with the Police for the prevention and investigation of crime or the apprehension or 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 (LI, LO, PI).
- 33 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 (LI, PI).
- 34 We may need to share your information if there is an emergency, for example, if you are hurt in an accident (LI, PI).
- 35 If you are an employee, we may need to provide your personal data to a pension provider so that you can benefit from your pension entitlement (CT).
- 36 We will need to share your information if asked to provide a reference. Please note that references will be provided in confidence. (LI)
- 37 As you will see from the above, in some cases we will rely on more than one lawful basis above for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal data with the local authority in addition to the other lawful bases which are noted for safeguarding purposes.
- 38 We use service providers to handle personal data on our behalf for the following purposes:
  - 38.1 IT specialists and/or auditors who might access information about you when checking the security of our IT network;
  - 38.2 Software, apps and websites to help us teach and provide pastoral support to our pupils. For example, we use Seesaw, Showbie, MyMaths, Times Table Rockstars, and Office 365 which allows pupils to access homework set by their teachers; and

- 38.3 Third party cloud providers to store some information, as well as local storage such as hard drives located on and off the Schools' site.

If you have any questions about any of the above, please speak to the IT Manager.

- 39 The School must also comply with an additional condition where it processes more confidential or special categories of personal data. These special categories are as follows: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, criminal convictions or offences, and information about sex life or orientation. When the School handles these types of information it will usually be doing so because:

- 39.1 it is in the substantial public interest to do so, for example, to assist the School comply with its safeguarding obligations.
- 39.2 it 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. Social security and protection is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing. For example, sometimes this would allow us to disclose your information to third parties such as the DBS or occupational health services.
- 39.3 to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.
- 39.4 it is necessary for the establishment, exercise or defence of legal claims. For example, this allows us to share information with our legal advisors and insurers.
- 39.5 for medical purposes. This includes medical treatment and the management of healthcare services.

- 40 We will share your personal data with the owners of the School if it concerns something it would be appropriate to tell them about for the purposes set out in this notice, including information which will enable them to fulfil their role (Li, PI).

### **Transfers of your personal data overseas**

- 41 When the School sends personal data outside of the UK, we have to consider if the other country has the same level of protection for personal data as there is in the UK. Some countries are considered by the UK Government to have adequate rules and this includes all of the European Economic Area and some other countries, such as, New Zealand, Argentina and Japan.
- 42 In certain circumstances we may send your information to countries who do not have the same level of data protection as the UK. We always aim to use suppliers with equivalent data protection laws as the UK. Alternatively, may share censored data e.g., pseudonyms and code names in place of actual names.
- 43 If you have any questions about the safeguards that are in place please contact the Principal.

**We may update this privacy notice from time to time as may be necessary to reflect any changes in the laws relating to the transfer of personal data outside of the UK.**

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

- 44 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.
- 45 In some cases 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.
- 46 Please see our Information and Records Retention Policy for information on how long we keep your personal data for.

## Processing in line with your rights

- 47 Data protection legislation gives you a number of rights in your information. Your rights are as follows:
  - 47.1 correction: if information the School holds about you is incorrect you can ask us to correct it.
  - 47.2 access: you can also ask what information we hold about you and be provided with a copy of it. 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.
  - 47.3 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.
  - 47.4 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 lawful bases for using your information" above); and (c) the information is being processed by us on computer.
  - 47.5 object: you may object to us using your information where:
    - 47.5.1 we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);
    - 47.5.2 the lawful basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our lawful bases for using your information" above;
    - 47.5.3 if we ever use your information for scientific or historical research purposes or statistical purposes.
  - 47.6 restriction: you can request that we restrict how we use your personal data.

The HR Manager / Principal 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 HR Manager / Principal at [hr@jackandjillschool.org.uk](mailto:hr@jackandjillschool.org.uk)

## Consent

- 48 We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the tables above. For example, we may

ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal data 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 HR Manager if you would like to withdraw any consent given.

## Further information

- 49 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.
- 50 Contact: If you would like any further information about anything within this notice please contact the HR Manager. The HR Manager's contact details are [hr@jackandjillschool.org.uk](mailto:hr@jackandjillschool.org.uk).
- 51 Please speak to the HR Manager if:
  - 51.1 you would like us to update the information we hold about you; or
  - 51.2 you would prefer that certain information is kept confidential.
- 52 There is certain information that you are required to provide to us so that we can enter into a contract of employment with you . This includes your contact details, details of your qualifications, details of your right to work in the UK and your bank details. If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract of employment or agreement we have entered into with you (such as paying you (including paying your expenses) 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).
- 53 You have a right to lodge a complaint with a data protection supervisory authority. The supervisory authority in the UK is the Information Commissioner's Office - [www.ico.org.uk](http://www.ico.org.uk). If you do have any concerns about how we have handled your personal data we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.