



FOUNDED 1879

HALLFIELD SCHOOL

STAFF PRIVACY NOTICE

Head Master	Mr K Morrow	
Chairman of Governors	Mr T Venner	
Staff member with responsibilities	Director of Finance & Operations & HR Manager	
Subcommittee with responsibilities	Compliance Committee	
ISI Regulatory Policy	NO	
Date adopted by Governing Body	Signed	
	Date	Autumn 2021
Date for policy review	Autumn 2024 (unless new legislation requires amendment)	

*“Hallfield School promotes the safeguarding and welfare of children in its care;
all policies support the Safeguarding policy”*



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Scope

This Privacy Notice applies to all current staff (employees and casual workers and for the purposes of this notice also includes visiting music teachers; other peripatetic workers, agency and contractors; and volunteers who may be employed or engaged by Hallfield School to work for it in any capacity. It also includes information in relation to leavers (ex-staff).

Purpose

Hallfield School collects and processes personal data relating to its staff in order to manage the employment relationship. The School is committed to being transparent about how it collects and uses the data and to meeting its data protection obligations.

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how the School uses any personal data held about them. The School complies with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where it is processing their personal data.

This privacy notice explains how the School collects, stores and uses personal data about the individuals it employs or otherwise engages to work at the School.

Hallfield School Trust, 48 Church Road, Edgbaston, Birmingham B15 3SJ is the Data Controller and is registered with the Information Commissioner's Office ("**ICO**"). Our ICO registration number is Z7190627.

The School's **Data Protection Co-Ordinator** is the Director of Finance & Operations. Please refer to the section Queries and Complaints (Section 9) for contact details.

Please read this policy in conjunction with the School's Data Protection Policy and Acceptable Use of IT and the Internet Policy, both of which can be found on the standing data drive.

2. The personal data processed by the School

Personal data that the School may collect, use, store and share (when appropriate) about staff includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence and car registration details

The School may also collect, use, store and share (when appropriate) information about staff that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any health conditions you have that we need to be aware of
- Sickness records
- Photographs and CCTV images captured in school
- Trade union membership

The School may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

The School may also hold data about staff that has been received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data (although a DBS Disclosure will only be held for a maximum of 6 months).

3. Why the School processes this data

The School uses the data listed above to:

- Enable staff to be paid
- Facilitate safe recruitment, as part of the safeguarding obligations towards pupils
- Support effective performance management
- Inform the School's recruitment and retention policies
- Allow better financial modelling and planning

- Enable equalities monitoring
- Improve the management of workforce data across the sector

Use of staff personal data for marketing purposes

Where staff have provided personal contact details for the purpose of receiving marketing information and have therefore provided their consent, the School may send marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest. Consent is not required when these communications are sent out to work email addresses as part of the School's internal communication.

Staff can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication or by contacting the Marketing & Communications department.

Use of personal data in automated decision making and profiling

The School does not currently process any personal data through automated decision making or profiling. If this changes in the future, any relevant privacy notices will be updated in order to explain the processing to affected groups, including their right to object to it.

4. The School's lawful basis for using this data

In order to carry out its ordinary operational duties, the School needs to process a wide range of personal data about individuals, including current, past and prospective staff.

Some of these activities need to be carried out in order that the School can fulfil its legal rights, contractual duties or obligations and this would form its lawful basis for processing personal data.

Other uses of personal data will be made in accordance with the School's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special / sensitive data.

As detailed below, in some cases individual consent to process personal data may be required.

Legitimate Interests:

The school expects that the following uses will fall within the category of legitimate interest where there is minimal privacy impact and the School has a compelling reason, including:

- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references in relation to current and past staff.
- To enable pupils to take part in national or other assessments, and to publish the results of
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the School's Acceptable Use of IT and the Internet Policy;
- For security purposes, including CCTV in accordance with the School's CCTV Policy;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the School will on occasion need to process **special category personal data** (for example medical information, equality, diversity and inclusion data or criminal records information, such as when carrying out DBS checks). The School will only collect and process this data when it has both a lawful basis (as set out above) and where one of the following conditions for processing as set out in UK data protection law applies:

- The School has obtained the individual's explicit consent to use their personal data in a certain way
- The School needs to perform or exercise an obligation or right in relation to employment, social security or social protection law
- The School needs to protect an individual's vital interests (i.e. protect theirs or someone else's life), in situations where an individual is physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by the individual
- The School needs to process the data for the establishment, exercise or defence of legal claims
- The School needs to process the data for reasons of substantial public interest as defined in legislation
- The School need to process the data for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- The School needs to process the data for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- The School needs to process the data for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, the School will only collect and use this data when it has both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- The School has obtained consent to use the data in a specific way
- The School needs to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by the individual
- The School needs to process the data for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- The School needs to process it for reasons of substantial public interest as defined in legislation

5. How the School collects personal data

While the majority of information the School collects about staff is mandatory, there is some information that can be provided voluntarily.

Whenever the School seeks to collect information, it will make it clear whether staff must provide this information (and if so, what the possible consequences are of not complying), or whether they have a choice.

Most of the personal data the School processes about staff will come from them directly, however the School may also hold data about staff from:

- Local authorities
- A previous employer; another school or other professional bodies
- Government departments or agencies
- Police forces, courts, tribunals
- Publically available resources

6. How this data is stored

The School will keep personal data about staff for the duration of their employment. The School may also keep certain information beyond the end of employment at our school if this is necessary. The minimum period of time the School will retain staff personal files is 7 years from the end of their employment (this is in line with legal recommendations for the retention of leaver files). However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

Data accuracy and security

The School will endeavour to ensure that all personal data held in relation to staff is up to date and accurate. Individuals must please notify the HR Manager of any significant changes to important information, such as contact details, bank details or next of kin information, held about them.

The School has in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

The School will take appropriate technical and organisational steps to ensure the security of the personal data it holds, this will include the review of policies, processes and services around the use of technology and devices, and access to school systems. All staff and governors will be made aware of associated School policies including Data Protection; Safeguarding & Child Protection and Acceptable Use of IT and the Internet and will receive relevant training in relation to their duties under data protection law

The School will dispose of personal data securely at the end of the retention period / when it is no longer needed.

If individuals have any specific queries about the School's retention of records is applied, or wish to request that specific personal data be considered for erasure, they should contact the Data Protection Co-Ordinator (see section 8 and 9 of this policy). It is important to bear in mind that the School will often have lawful and necessary reasons to retain some personal data even following such request.

A limited and reasonable amount of information will be kept to allow the School to continue to fulfil operational requirements (under lawful reasons) for example basic information about an individuals' post and employment dates to allow basic references to be provided to future employers.

7. Who the School shares data with

For the most part, personal data collected by the School will remain within the school, and will be processed by appropriate individuals (for example HR and Finance) only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of sensitive category information data.

The School does not share personal data about staff with any third party without consent unless the law and School policies allow it to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), the School may share personal information about staff with:

- The local authority (Birmingham City Council) – to meet the School’s legal obligations to share certain information with it, such as safeguarding concerns
- Government departments or agencies (including HMRC and DfE)
- Regulatory bodies including the Independent Schools Inspectorate; the Teaching Regulation Agency, the Charity Commission or the Information Commissioner
- Suppliers and service providers: Teacher Pension Services and other pension providers; death in service provider and insurers and any benefit providers staff chose to be part of during their employment.
- Financial organisations
- The School’s auditors
- Professional advisors to the School including lawyers, insurers and PR advisors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- The Disclosure & Barring Service (for the purpose of processing DBS applications);
- Safeguarding organisations; Police forces, courts, tribunals

In accordance with data protection legislation, some of the School’s processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school’s specific directions.

Staff 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 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 is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please refer to the School’s Safeguarding & Child Protection Policy which can be found on the standing data drive.

8. Individual’s rights

Individuals have various rights under data protection law to access and understand the personal data held (about them) by the School.

How to access personal information that the School holds

Staff have a right to make a ‘subject access request’ to gain access to personal information that the School holds about them.

If they make a subject access request, and if the School holds information about them, they will (subject to any exemptions that may apply):

- Provide the individual with a description of the personal data held;
- Detail why the School is holding and processing the data, and how long it be kept for;
- Explain where the School received the information from, if not from the individual;
- Detail who it has been, or will be, shared with;
- Detail whether any automated decision-making is being applied to the data, and any consequences of this;
- Provide the individual with a copy of the information in an intelligible form

The individual may also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If a staff member (current or past) would like to make a request they should contact the Data Protection Co-Ordinator (please refer to section 9).

Other rights regarding individual's own personal data

Under UK data protection law, individuals have certain rights regarding how their personal data is used and kept safe. For example, they have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the Data Protection Co-ordinator (see section 9)

9. Queries and Complaints

The School takes any complaints in relation to the processing of personal data very seriously.

If an individual thinks that the School's collection or use of personal data is unfair, misleading or inappropriate, or has any other concern about the School's data processing they should in the first instance raise this with the School.

In addition, any questions; requests or would like further information in relation to this Privacy Notice should be directed to the Data Protection Co-Ordinator using the following contact details:

Address: **Hallfield School, 48 Church Road, Edgbaston, Birmingham B15 3SJ.**
Telephone: 0121 454 1496.
Email: dataprotectionco-ordinator@hallfieldschool.co.uk.

If you believe that the School has not complied with this Privacy Notice or acted otherwise than in accordance with Data Protection Law, you should utilise the School's complaints procedure and should also notify the Data Protection Co-Ordinator. You can also make a referral to or lodge a complaint with the ICO, although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Associated Policies

- Data Protection Policy
- Acceptable Use of IT and the Internet Policy
- Safeguarding & Child Protection Policy