



PRIVACY NOTICE FOR STAFF

DATA PROTECTION OFFICER

The Data Protection Officer is responsible for overseeing data protection within the School so if you do have any questions please contact them via the information below.

Head of Finance & Resource - Mrs Angela Brassett

Email: brassetta@lingfieldcollege.co.uk

INTRODUCTION

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.

WHAT IS PERSONAL INFORMATION?

Personal information is information that identifies you as an individual and relates to you.

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.

Personal information submitted to Lingfield College will be used strictly in accordance with the Data Protection Act, for the purposes specified in this Privacy Policy, the School's Data Protection Policy and as otherwise permitted or required by law.

This may include:

- Personal information (such as name, address, teacher reference number, national insurance number, contact numbers, and personal email addresses).
- Date of birth and gender.
- Next of kin and emergency contact information.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension, and benefits information.
- Employment start date and/or end date.
- Location of employment or workplace.
- 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).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Performance information (such as appraisal, capability, grievance, and disciplinary matters)
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems.
- Photographs and audio/video recordings.

We may also collect, store, and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, disability, and sexual orientation.
- Trade union membership.
- Information about your health, including any medical condition, health, and sickness records.

Information about criminal convictions and offences

WHY HAVE WE GIVEN YOU THIS PRIVACY NOTICE?

Lingfield College is a data controller for the purposes of the General Data Protection Regulations 2018 and this notice serves to inform staff (directly employed, agency, contract and volunteers) of the legal and lawful basis for which we process personal and sensitive data.

We are required to notify you of how we process your personal data both during the employment relationship and post-termination. This notice explains how we collect, process, use, store, transfer and secure your personal data. It is important that you read this notice, together with any other privacy notice we may provide during your employment, this notice does not form part of any contract of employment or other contracts to provide services and we may update this notice at any time.

We process, collect and use personal information about staff under “Article 6” (public tasks) and “Article 9” (public interests) of the General Data Protection Regulation (GDPR).

- Article 6(1) (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- Article 9(2) (b) processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

Note: We have a legal duty under GDPR to ensure that any personal data we process, collect and use is handled and stored securely

HOW AND WHY DOES THE SCHOOL COLLECT AND USE PERSONAL INFORMATION?

The majority of the information you provide to us is mandatory, of legitimate interest and legally required by law for us to carry out our contractual obligations to you. We collect personal data for varied purposes; directly from you at the recruitment stage through the application process (or from an employment agency); from a background check provider e.g., Atlantic Data for DBS checks and sometimes, we may collect additional information from third parties including former employers.

Also, periodically, whilst you are working with us we may need to collect additional personal information from you not identified on the above list but before doing so we will provide you with a written notice setting out details of the legitimate and lawful basis of why we require the data.

We will use your personal data for one or more of the following legitimate and lawful bases:

To perform the contract which we have entered into with you.

To comply with our legal obligation(s).

- To ensure our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- To protect your interests (or someone else's interests).
- To carry out official tasks in the interest of the public.

Whilst you are employed and after our contractual obligation has ended, we will use your personal information for one or more of the reasons listed below to:

- Collate information required for our central records (including vetting checks and references).
- Check your right to work in the UK.
- Process payments to you including any necessary tax and NI deductions.
- Liaise with your pension provider and make payments on your behalf.
- Carry out business management and workforce planning, accounting and auditing.
- Conduct and manage reviews of performance in a timely manner.
- Gather evidence for disciplinary, informal complaints or grievances.
- Make decisions about your continued employment or engagement.
- Formulate arrangements for the termination of our working relationship.
- Educate, train and develop staff professional requisites.
- Oversee and investigate legal disputes including accidents at work.
- Manage sickness absence, ascertain your fitness to work and contact your next of kin.
- Comply with health and safety obligations, complete accident and RIDDOR reporting.
- Prevent fraud through CCTV monitoring.
- Monitor the use of information and communication systems and ensure internal compliance.
- Monitor equality and diversity opportunities.

Any personal data which reveals your, ethnic origin, religious beliefs, trade union membership or sexual orientation can be regarded as special/sensitive personal data and in addition to the reasons listed above we also use sensitive personal data:

- To register the status of trade union membership information of a protected employee and to comply with employment law obligations.
- To Process legal claims or to protect your vital interests (or someone else's) and where you are not capable of giving your consent or where the relevant information has already been made public.

WHAT HAPPENS IF YOU FAIL TO PROVIDE INFORMATION?

We will ask you to provide information that we believe is necessary for our contractual (for example bank account details to pay you) and/or our associated legal obligations (for example giving salary information to HMRC). If you fail to provide certain information when requested we may not be able to meet our contractual and/or legal obligations to you.

WHAT HAPPENS IF WE NEED TO USE YOUR PERSONAL DATA FOR A NEW PURPOSE?

The majority of the information you provide to us is mandatory, of legitimate and legal basis required by law for us to carry out our contractual obligations to you. However, sometimes we may ask for your consent to acquire specific and unambiguous information and there may be special circumstances where we have to process your personal data without your knowledge or consent, where this is required by law and in compliance with the interest of our business and safety of our students.

More importantly, we may request your written consent to allow us to process your sensitive personal data. For example, when protecting your interest, we may need to instruct a medical practitioner to prepare a medical report or administer treatment.

Criminal convictions

We may need to hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of the role and duties you will perform and where we are legally entitled to do so.

Nonetheless, it is important to note that we do not share information about our staff with anyone without consent unless the law and our policies allow us to do so.

HOW WILL WE STORE YOUR DATA AND FOR HOW LONG?

We will take reasonable technical and organisational precautions to prevent the loss, misuse, or alteration of your personal information. We will store all the personal information you provide to us with strict procedures and security features to prevent unauthorised access. We store all personal information you provide on our secure servers or in locked storage facilities.

We will keep your personal data for as long as is necessary to fulfil the purposes for which it was collected. When your employment relationship comes to an end with the school, we will either retain or securely destroy your personal data in accordance with our data retention information detailed in our Data Protection Policy or other applicable laws and regulations.

In order that we can ensure that the personal data we hold in relation to you is accurate, it is important that you keep us informed of any changes to that data.

WHO MAY WE SHARE YOUR PERSONAL INFORMATION WITH?

In order to meet our legal obligations, it is necessary to share your personal information with certain third parties (see below). We also need to share your data when we have legitimate reasons for doing so and where it is necessary to perform your contract. The following third-party service providers process personal information about you for the following purposes:

- Teachers Pensions, APTIS and NEST Pension Scheme for pension administration
- Tax Office for tax administration
- The School's bank for payment of salary

- Atlantic Data for processing of DBS checks
- Medwyn Occupational Health Service for management referrals
- ISBA and other professional bodies for workforce survey purposes and benchmarking
- Office for National Statistics for workforce survey purposes

The law prevents data from being transferred to countries outside the European Economic Area without prior checks being conducted to ensure that adequate protection processes are in place.

YOUR RIGHTS

You have the right at any time to:

- Ask for a copy of the information about you held by us in our records
- Require us to correct any inaccuracies in your information
- Make a request to us to delete what personal data of yours we hold
- Object to our lawful basis for processing your data in relation to our legitimate business interest (or third-party interest)
- Object to the transfer of your personal data to a third party.
- Ask us not to process your personal data for marketing purposes

If you have any concern(s) about the way we collect or use personal data, please contact the Data Protection Officer.

POLICY AMENDMENTS

We reserve the right to amend or update this privacy notice at any time. We will provide you with a new notice when we make any updates.

COMPLAINTS

To exercise all relevant rights, queries or complaints please email brassetta@lingfieldcollege.co.uk and if we are unable to resolve your complaint, you have the right to lodge a complaint with the Information Commissioners Office on 03031231113 or via email at <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.