



## **Privacy Notice for Staff**

### ***Introduction***

Emanuel School takes its responsibilities for using personal information about individuals seriously. The school's primary reason for collecting, using and sharing personal information is to provide educational services to the children enrolled in the school, including management of staff to provide those services.

Personal information is any information that identifies an individual and is related to them. Examples include contact details, next of kin and financial information. Information about religion or ethnic group, exam results, medical information, CCTV, photographs and video recordings are also considered personal information.

### ***What this policy is for***

This policy is intended to provide information to those who work at the school including staff, volunteers, governors and service providers about how the school will use (or "process") personal data about individuals.

Parents and pupils should refer to the Privacy Notice for Parents and alumni to the Privacy Notice for Alumni & Friends.

This information is provided in accordance with the rights of individuals under data protection law to understand how their data is used. Staff are encouraged to read this privacy notice and understand the school's obligations to its entire community.

This privacy notice applies alongside any other information the school may provide about a particular use of personal data, for example when collecting data via an online or paper form. This privacy notice also applies in addition to the school's other relevant terms and conditions and policies, including:

- any contract between the school and/or United Westminster & Grey Coat Foundation and the staff member;
- the school's data protection policy
- the school's CCTV policy;
- the school's retention of records policy;
- the school's safeguarding, pastoral, or health and safety policies; and
- the school's IT security policies.

### ***Responsibility for Data Protection***

The person responsible for data protection and privacy at the school is the bursar. Day to day, the head of IT and compliance will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and data protection law. They can be contacted by email at [data.protection@emanuel.org.uk](mailto:data.protection@emanuel.org.uk), by post at Emanuel School, Battersea Rise, London SW11 1HS, or by telephone on 020 8870 4171

### ***Why the school needs to process personal data***

In order to carry out its ordinary duties to staff, the school needs to process a wide range of personal data about individuals as part of its daily operation. Some of this activity the school will need to carry out in order to fulfil its **legal rights**, such as:

- To ensure an applicant or member of staff has the right to work in the UK;
- To fulfil safeguarding duties towards pupils; and
- To disclose information to third parties such as the DBS, local authorities or the police

The school must also process personal data to comply with other duties or obligations – including those under a **contract** with the member of staff. For example:

- To pay salaries;
- To provide personal information to a benefit provider, such as a pension provider; and
- To provide contractual benefits

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 or sensitive types of data.

The school expects that the following uses will fall within that category of its “**legitimate interests**”:

- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- To support the school's recruitment process;
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils;
- 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 IT security policy;
- To make use of photographic images of staff in school publications, on the school website and (where appropriate) on the school's social media channels;
- For fire safety and security purposes, including CCTV in accordance with the school's CCTV policy;
- To make sure staff are complying with their employment obligations
- To carry out or cooperate with any school or external complaints, disciplinary or investigation purposes; 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** (concerning health, ethnicity, religion or sexual life) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons may include:

- To safeguard staff welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care; or
- To provide guidance in the context of any religious beliefs.
- As part of the school's response to the Covid-19 pandemic.

The school may ask for consent to use personal information in certain ways. Staff will be informed and consent requested. If consent is given it can be withdrawn at any time. Any use of personal information before consent is withdrawn is still valid.

### ***Types of personal data processed by the school***

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- daily log of the time a staff member enters and leaves the site (for fire safety logs)
- car details (about those who use the school's car parking facilities);
- bank details, salary, payroll and other financial information,
- recruitment information including career history, qualifications and references given or received by the school
- past criminal convictions, DBS certificate and documentation required for validation
- contract information including hours worked, roles, pension and salary information
- absence history
- performance management; development and training records
- where appropriate, information about individuals' health, and contact details for their next of kin;
- images of staff (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system

### **How the school collects data**

Generally, the school receives personal data from the individual directly. This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written communication).

However in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

### **Who has access to personal data and who the school shares it with**

The school shares information with the United Westminster & Grey Coat Foundation e.g. payroll and financial information to enable the processing of salary payments, and pension providers. As part of the recruitment process, the school may share information with external interviewers.

Occasionally, the school will need to share personal information relating to its community with third parties, such as professional advisers (lawyers, insurers and accountants), or relevant authorities (Disclosure and Barring Service, National College for Teaching and Leadership, DfE, Independent Schools Inspectorate, Independent Schools Council, the Charities Commission, HMRC, UK Visa and Immigration, police or the local authority) or benefits providers.

Where staff accompany pupils on educational trips, their personal information may be shared with trip providers. Any information shared with trip providers is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions. For overseas trips outside of countries with 'adequate jurisdiction', additional safeguards will be provided to ensure that an appropriate level of protection is in place

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). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the school nurse, or otherwise in accordance with express consent; and
- staff welfare files.

Staff, pupils and parents 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 staff or 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 and Child Protection Policy.

Finally, in accordance with data protection law, 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.

### ***How long the school keeps personal data***

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. There are specific legal requirements for how long staff personal information is required and these are detailed in the school Records Retention Policy.

If you have any specific queries about how this policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the school at [data.protection@emanuel.org.uk](mailto:data.protection@emanuel.org.uk). However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some data.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even when you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a 'suppression record').

### ***Keeping in touch and supporting the school***

When a staff member retires or leaves the school, they are given the option to stay in contact. The school and any relevant other organisation will use their contact details to keep them updated about the activities of the school, or events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the school may also contact them by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes.

Should you wish to limit or object to any such use, or would like further information about them, please contact the school by email at [development@emanuel.org.uk](mailto:development@emanuel.org.uk) or [data.protection@emanuel.org.uk](mailto:data.protection@emanuel.org.uk); or by post to the school address). The school may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

### ***Your rights***

Individuals 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 have it transferred to other, or for the school to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is being used should contact the school at [data.protection@emanuel.org.uk](mailto:data.protection@emanuel.org.uk).

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 one month in the case of requests for access to information. If the request is manifestly excessive or similar to previous requests, the school may ask you to reconsider or require a proportionate fee, but only where data protection law allows it.

You should be aware that the right of access is limited to your own personal data and certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The school is also not required to disclose any confidential reference given by the school for the purposes of the education, training or employment of any individual.

## **Consent**

Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). 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 (e.g. parent contract, or because a purchase of goods, services or membership of an organisation such as the parents' association has been requested).

## **Data accuracy and security**

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the HR officer of any significant changes to important information such as contact details held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under data protection law): please see above for details of why the school may need to process your data, or who you may contact if you disagree.

The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under data protection law and receive relevant training.

## **This Policy**

The school will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably possible.

## **Queries and Complaints**

If a member of staff believes that the school has not complied with this policy or acted otherwise than in accordance with data protection law, they should utilise the school's grievance procedure. Former members of staff should refer to the school's complaints procedure. Anyone can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

## **Related Documents**

- The UK General Data Protection Regulations (2021) & Data Protection Act (2018)
- The Privacy and Electronic Communications Regulations (2011)
- Privacy Notices (Parents and Alumni)
- Data Protection Policy
- Safeguarding and Child Protection Policy
- IT policies including CCTV Policy
- Coronavirus Vaccination and Testing Policy