Policy: Privacy Notice - Staff

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Mission Statement

At Abbey School our aim is to teach to inspire, motivate and nurture the next generation of creative and critical thinkers. We work in partnership with parents and the community to achieve the highest standards. Our main goal is to encourage our children to be resilient, respectful, responsible independent learners, equipped for lifelong learning. Through stimulating, safe learning environments and excellent opportunities to succeed in and out of the classroom, we encourage children's progress and achievements.

Our Core Values

RESPECT, RESPONSIBILITY, RESILIENCE

These 3 core values underpin the ethos of Abbey School. Our young pupils are encouraged to understand these values and how they develop, initially, at the micro level around themselves, their friendships, their families and our school. Later, our older pupils begin to understand how these self-same values affect our lives on the macro level, with all this means for their lives as they grow into adults and their environment of Devon, the United Kingdom, and also the planet in which we live.

Statutory Policies

Regulation (EU) 2016/679 of the European Parliament and of the Council
https://www.legislation.gov.uk/eur/2016/679/contents
Data Protection Act 2018
http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted

Rationale

Under data protection law, individuals have a right to be informed about how Abbey School and Nursery (from here on referred to as Abbey School) uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **individuals we employ or otherwise engage to work at our school**.

We, Abbey School, Hampton Court, St. Marychurch, Torquay, TQ1 4PR (01803 327868), are the 'data controller' for the purposes of data protection law.

Our data protection officer is **Fleur Greinig** (see 'Contact us' below).

Personal Data

Personal data that we may collect, use, store and share (when appropriate) about you 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, DBS information and other information included in a CV, application form 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 license

We may also collect, use, store and share (when appropriate) information about you 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 captured in school
- Trade union membership

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

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of [b], in accordance with the 'public task' basis – we need to process data to fulfil our statutory function as a school as set out here:
    - 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;
    - (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
    - (d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- For the purposes of [a], in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
    - processing is necessary for the purposes 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;
- For the purposes of [a, b and c], in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- For the purposes of [list the relevant letter(s) from section 3 above], in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of [a, b and c], in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- For the purposes of [e,f and g], in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason, including:
    - School Census Survey (Local Authority & ISI)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need 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 you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it 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
- We need to process it for public health reasons and the processing is done by, or under the direction of, a health professional or other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

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

- We have obtained your consent to use it in a specific way
- We need 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 you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

Collecting this data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals
- Former employers (references)

How we store this data

We keep personal information about you while you work at our school. We may also keep it beyond your employment at our school if this is necessary. Our record retention schedule sets out how long we keep information about staff.

A copy of our records retention schedule is available on request from the School Office.

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

We will dispose of your personal data securely when we no longer need it.

Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:Our local authority (Torbay) – to meet our legal obligations to share certain information with it, such as safeguarding concerns

- Government departments or agencies
- Our regulators – Ofsted and Independent Schools Inspectorate
- Suppliers and service providers:
    - Insight Tracker – to enable a teacher account for inputting data
    - Seesaw – to use for remote learning purposes
    - Google Classroom – to use for remote learning purposes
    - Studybugs – to use email address to create class login
    - Think IT – to create an email address
- Financial organisations
    - Inland Revenue -in line with payroll processing
    - Teachers Pensions
    - Redwoods Collections

- Our auditors
    - Monahans – salary data but not personally identifiable information
- Security organisations
    - Civil and Corporate – for processing DBS checks
- Health and social welfare organisations – where legally required to do so
- Professional advisers and consultants
    - Peninsula HR – for queries on employment and contracts
- Police forces, courts, tribunals – when legally required to do so

Transferring data internationally

We may share personal information about you with the following international third parties outside of the European Economic Area, where different data protection legislation applies:

Where we transfer your personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

Your rights

How to access personal information that we hold

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you 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
- 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 us (see 'Contact us' below).

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the 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

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

The Principal, Mrs Sylvia Greinig Tel: 01803 327868

However, our data protection lead has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

The Headmistress, Miss Fleur Greinig Tel: 01803 327868