



## **STAFF PRIVACY NOTICE**

### **WHAT IS THE PURPOSE OF THIS DOCUMENT?**

d'Overbroeck's is a "data controller" under data protection law. This means that we are responsible for deciding how we hold and use personal information about you.

Your privacy is important to us and we want to keep your personal information safe. This Privacy Notice tells you how we do that and sets out your rights when it comes to the information that we hold about you.

It applies to all current and former full-time and part-time employees, workers and contractors, including peripatetic staff.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

### **THE KIND OF INFORMATION WE HOLD ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence (where appropriate).

- 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.
- Disciplinary and grievance information.
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems.

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

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

#### **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

#### **HOW WE WILL USE INFORMATION ABOUT YOU**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else’s interests).
2. Where it is needed in the public interest.

## **Situations in which we will use your personal information**

We use your information for the following:

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing benefits to you.
- Liaising with your pension provider.
- Carrying out the contract between us including, where relevant, making decisions about your continued employment or engagement and its termination.
- Business management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Education, training and development requirements.
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with employment law, immigration law, tax law and our health and safety obligations.
- To prevent and detect fraud or other criminal offences.
- To monitor your use of our information and communication systems to ensure compliance with our policies including the IT Policy and Acceptable Use Policy.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- Staff names and qualifications are published on the School website and in School publications in accordance with Independent Schools Inspectorate regulations and guidance.
- To promote and publicise the School and its activities. This may include your images, full name, education and qualification information, career and job history, hobbies and opinions. This could include publication on the School's website, prospectus, social media channels and advertisements.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations including under employment law.
3. Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our Staff Data Protection Policy.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed to establish, exercise or defend legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

### **Our obligations as an employer**

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to your absence, which may include sickness absence or family related absence, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences to check your suitability for the job.

## **DATA SHARING**

We may have to share your data with third parties, including third-party service providers and other entities in the group, e.g. Oxford International Education Group (OIEG).

We require third parties to respect the security of your data and to treat it in accordance with the law.

Your personal information may be stored and processed outside of the country where it is collected, including outside of the European Economic Area. We will only transfer personal data to a country or territory outside the European Economic Area:

- where the transfer is to a place that is regarded by the European Commission as providing adequate protection for your Personal Information; or
- where we have put in place appropriate safeguards to ensure that your Personal Information is protected (for example where both parties involved in the transfer have signed standard data protection clauses adopted by the European Commission); or
- the above does not apply but we are still legally permitted to do so, for example if the transfer is necessary for the establishment, exercise or defence of legal claims.

You can request further detail about the safeguards that we have in place in respect of transfers of Personal Information outside of the EEA and where applicable a copy of the standard data protection clauses that we have in place, by contacting Tracy Roslyn, Data Compliance Administrator, [tracy.roslyn@doverbroecks.com](mailto:tracy.roslyn@doverbroecks.com).

### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

“Third parties” include third-party service providers (including contractors and designated agents) and other entities within our group. In particular, we regularly share your personal information with our parent company, OIEG. For example, we securely send OIEG reports on your attendance record (including absence dates and reasons for absence) and payroll information, on a monthly basis.

The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision, archiving, administration and IT services. We may also share your data with other third parties where we are required to do so by law. These might include the Independent Schools Inspectorate, the Charity Commission, Ofsted, auditors, or other regulators.

## **DATA SECURITY**

We have put in place measures to protect the security of your information. Details of these measures are available from Tracy Roslyn, Data Compliance Administrator, [tracy.roslyn@doverbroecks.com](mailto:tracy.roslyn@doverbroecks.com).

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

## **DATA RETENTION**

### **For how long will you use my information?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements taking account of the amount, nature and sensitivity of the information retained and whether we need to retain all or just some information. Further information is available in our Data Protection Policy (retention periods) which can be found on our website.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

### **Your duty to inform us of changes**

If you move house or your personal details change, it is important that you let us know so that the information we hold is accurate.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”).
- Request correction of the personal information that we hold about you.
- Request erasure of your personal information, in certain circumstances.
- Object to processing of your personal information.
- Request the restriction of processing of your personal information.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Tracy Roslyn, Data Compliance Administrator in writing at [tracy.roslyn@doverbroecks.com](mailto:tracy.roslyn@doverbroecks.com) .

## **CHANGES TO THIS PRIVACY NOTICE**

We may update this privacy notice at any time, and we will make any new privacy notice accessible to you on the School’s website. We may also notify you in other ways from time to time about the processing of your personal information.

## **POINT OF CONTACT**

**Tracy Roslyn, Data Compliance Administrator, is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact her at [tracy.roslyn@doverbroecks.com](mailto:tracy.roslyn@doverbroecks.com) .**

If you are unhappy with how we are processing your personal information, you can make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues, although the ICO recommends that you take steps to resolve the matter with the School before involving them.

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