



## **PRIVACY NOTICE FOR STAFF**

### **1. WHAT THIS PRIVACY NOTICE IS FOR**

In the course of your work undertaken for the school, d'Overbroeck's will collect, use and hold ("process") personal data relating to you as a member of our staff or wider school team, regardless of your employment status. This makes d'Overbroeck's a "data controller" of your personal information under data protection law. This Privacy Notice sets out how we will use that information and what your rights are when it comes to the information that we hold about you.

Your privacy is important to us and we want to keep your personal information safe.

In the event of an epidemic or pandemic, the school may need to collect, share and process personal data in accordance with Government guidance. This may be for special reasons not mentioned in this Privacy Notice but the reasons will always be to protect public and individual health by trying to limit the spread of infection. For details about how this was handled during the Covid pandemic please see the Privacy Notice regarding staff Covid testing on the [Privacy Notice page](#) of the school website.

### **2. WHO THIS NOTICE APPLIES TO**

This notice applies to all staff at the school, and the term "staff" includes employees, contractors, peripatetic staff, casual workers, temps and volunteers who may be employed or engaged by the school to work for it in any capacity, as well as prospective applicants for roles.

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.

### **3. ABOUT THIS NOTICE**

This Privacy Notice applies to school staff in addition to other relevant policies that may (depending on your role and status) apply to you, including:

- any contract between the school and staff, such as the terms and conditions of employment;
- the school's Safeguarding policy;
- the school's CCTV policy;
- the school's Grievance & Disciplinary, Safeguarding, Anti-bullying, and Health & Safety policies;
- the school's data protection policies, including Acceptable Use policy, e-Safety policy, Working Remotely policy, Using Personal Devices policy, Data Retention policy.

Please note that any contract you have with the school will be relevant to how the school processes your data, in accordance with any relevant rights or obligations under that contract. However, this Staff Privacy Notice is the primary document by which we notify you about the use of your personal data by the school.

#### **4. 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:

- Contact and communications information, including:
  - your personal contact details (postal and email addresses, telephone numbers).
  - next of kin and emergency contact information, in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Privacy Notice.
  - records of communications and interactions we have had with you.
- Biographical, educational and social information, including:
  - your name, title, gender, nationality and date of birth.
  - your image and likeness, including as captured in photographs taken for work purposes.
  - details of your education.
  - lifestyle information and social circumstances.
  - your interests and extra-curricular activities.
- Financial information, including:
  - your bank account details used for paying your salary and other payments.
  - your tax status (including residential status).
  - information relating to pensions, national insurance, or employee benefit schemes.
- Work related information, including:
  - details of your work history and references from your previous employer (s).
  - your personal data captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the school.
  - recruitment information, including nationality and other immigration status information (ie right-to-work documentation), information included in a CV, cover letter or application form, and copies of passport information (if applicable).
  - details of your professional activities and interests, and your involvement with and membership of sector bodies and professional associations.
  - copy of driving licence (where appropriate for driving school vehicles).
  - disciplinary and grievance information.

- Images or videos of you taking part in school or other activities, images captured by the school's CCTV footage, and other information obtained through electronic means such as swipe card records.
- information relating to your presence at virtual Open Days, Parents Evening and other online events, including visits to our website and your use of IT educational tools.
- information about your use of our information and communications systems.

Where necessary for your employment or other engagement to work for us, we may also collect, store and use the following “special categories” of more sensitive personal information:

- information revealing your racial or ethnic origin.
- political opinions or trade union membership, where applicable.
- information about your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment).
- information concerning your sexual life/orientation or religious beliefs (for example, in the course of investigating complaints made by you or others, such as a case of discrimination).
- information about criminal convictions and offences (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations).

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your employment or other engagement to work for the school.

## **5. HOW WE COLLECT YOUR PERSONAL INFORMATION**

We collect personal data about staff through the application and recruitment process, for example from the information you provide when making a job application and attending interview, or from third parties such as former employers, employment agencies, the Disclosure and Barring Service (DBS) or other background check agencies, in order to verify details about you and your application to work for us.

We also collect additional personal information in the course of job-related activities throughout the period of time you work for us, such as filed reports, meeting notes, sending/receiving emails on school systems, and using educational tools which may use the latest technologies such as machine learning. Information will also be gathered through the Professional Development Review (PDR) process, and when you provide or update your contact details.

We may obtain Personal Data from you directly, or from third parties such as other educational or sporting institutions, credit reference and anti-fraud agencies (we will contact you in advance where such checks are necessary), sanctions and politically exposed persons screening lists (in accordance with our regulatory obligations), our business partners and public registers.

### **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.

## **6. THE BASIS FOR PROCESSING YOUR PERSONAL DATA**

We will only use your personal information when the law allows us to. We are likely to use your personal information for the following purposes:

### **a) Entering into, or fulfilling, our contract with you, for example:**

- administering job applications, offering a role and determining the terms on which you work for us.
- carrying out our due diligence checks, whether during the application process or during your engagement with us, including checking references in relation to your education and employment history, and checking you are legally entitled to work in the UK.
- paying you, providing other benefits and, if you are an employee, deducting tax and National Insurance contributions.
- liaising with your pension provider.
- monitoring your attendance and performance at work, including the annual Professional Development Review process.
- promoting the school and its activities to parents and others. This may include using your image, full name and qualification information, career and job history, hobbies and opinions, and publishing the work product(s) you create while employed by the school. This could include publication on the school's website, prospectus, social media channels and advertisements. The names and qualifications of some staff are published on the school website and in school publications in accordance with Independent Schools Inspectorate regulations and guidance.
- for disciplinary purposes, including conducting investigations where required, or dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work.
- for other administrative purposes, for example to update you about changes to your terms and conditions of employment or changes to your pension arrangements, ascertaining your fitness to work, or managing sickness absence.
- for internal record-keeping, including the management of any staff feedback or complaints and incident reporting.
- carrying out the contract between us including, where relevant, making decisions about your continued employment or engagement and its termination.

### **b) Compliance with a legal obligation, for example:**

- meeting our legal obligations, for example, relating to child welfare, social protection, diversity, equality and gender pay gap monitoring, employment, immigration/visa sponsorship compliance and health & safety.
- for tax and accounting purposes, including transferring personal data to HM Revenue and Customs to ensure you have paid appropriate amounts of tax.
- for the prevention and detection of crime, and to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

**c) 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, for example:**

- providing you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us).
- conduct data analytics studies to review and better understand employee retention and attrition rates, and for the purpose of planning, forecasting, research and statistical analysis.
- for site security purposes, including by operating security cameras in various locations on the school premises and documenting your use of SALTO key cards.
- ensuring network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution. This may include monitoring your use of our information and communication systems to ensure compliance with our policies, including the Data Protection Policy and Acceptable Use Policy, and with government guidance such as KCSIE.
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate.
- to provide education services to students, including where such services are provided remotely (either temporarily or permanently), as outlined in the Virtual Teaching and Learning Policy for Staff and the Working Remotely and Complying with GDPR policy, both available from the school intranet.
- to support, develop and improve the school's teaching, curriculum and educational tools.
- to carry out or co-operate with any school or external complaints, disciplinary or investigatory process.
- organising events and social engagements for staff.
- making travel arrangements on your behalf, where required.
- contacting you, your family and 'next of kin' for business continuity purposes, to confirm your absence from work, etc.

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.

## **7. 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.

Depending on your role and status, we process sensitive data (such as health, religious beliefs, racial or ethnic origin, sexual orientation or union membership) or criminal convictions and allegations, on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your employment or engagement. The data and reasons are:

- your physical or mental health or condition in order to record sick leave and take decisions about your fitness for work, or (in emergencies) act on any medical needs you may have. This

may include COVID-19 (or similar) testing: including managing on-site testing and/or processing the results of tests taken by staff, and sharing this information with relevant health authorities.

- recording your racial or ethnic origin in order to monitor our compliance with equal opportunities legislation.
- trade union membership, in connection with your rights as an employee, agent or contactor and our obligations as an employer or engager of your services.
- categories of your personal data which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment.
- data about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the DBS, or when it is necessary to record or report an allegation (including to police or other authorities), with or without reference to you.

We may process special categories of personal information for lawful reasons only, including because:

- you have given us your explicit consent to do so, in circumstances where consent is appropriate.
- it is necessary to protect you or another person's vital interest, for example, where you have a life-threatening accident or illness in the workplace and we have to process your personal data in order to ensure you receive appropriate medical attention.
- it is necessary for some function in the substantial public interest, including the safeguarding children or vulnerable people, or as part of a process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegation). See the Safeguarding and Promoting the Welfare of Children policy and staff Code of Conduct, available from the [policies page of our website](#).
- it is necessary to comply with public health requirements, such as COVID-19 or similar circumstances.
- it is necessary for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you.

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.

## **8. SHARING YOUR DATA WITH OTHERS**

We may have to share your data with third parties, including third-party service providers and other entities in the group, eg, Nord Anglia Education (NAE).

### **Why we share personal information with third parties**

We may share your personal information with third parties where it is necessary to administer our contract with you, where required by law, or where we have a legitimate interest in doing so, as outlined above.

### **Third-party service providers who may process your personal information**

We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- other employees, agents and contractors, eg service providers: pension administration, payroll, benefits provision, archiving, administration and IT services, providers of online services for virtual Open Days and Parents Evenings, although this is not sharing your data in a legal sense, as these are considered data processors on our behalf.
- suppliers who help us to provide educational and extra-curricular services, including after-school programmes, catering, transportation, and programme partners Julliard, MIT and UNICEF, and IT contractors who help us develop our products and services;
- DBS and other relevant authorities and agencies such as the Department for Education, NCTL, the Home Office, the Independent Schools Inspectorate, relevant public health/NHS agencies, the Information Commissioner's Office, the local authority, Ofsted, auditors or other regulators.
- our parent company, Nord Anglia Education. For example, we regularly and securely send reports on attendance record (including absence dates and reasons for absence) and payroll information.
- external auditors or inspectors.
- our advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants or other external consultants.
- third parties and their advisers in the event those third parties are acquiring or considering acquiring all or part of d'Overbroeck's, or we set up some form of joint working arrangement.
- when the school is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or police.
- other employers in the form of a reference, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations. References given or received in confidence may not be accessible under your UK GDPR rights.

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.

## 9. DATA SECURITY

We protect the security of your information. 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. In addition, we limit access to your personal information to those individuals who have a need to know it. They will only use your personal information on our instructions and they will be required to treat it as confidential.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

If you would like details of these measures please contact us (see section 13).

## 10. DATA RETENTION

### How long your information is kept

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.

Personal data relating to unsuccessful job applicants is deleted 6 months after the application process in the case of UK applicants, and after one year in the case of international applicants.

Subject to any other notices that we may provide to you, we may retain your personal data for a period of 6 years after your contract has expired or been terminated. However some data may be retained longer than this, for example incident reports and safeguarding files, in accordance with specific legal requirements.

Further information is available in our Data Retention policy which can be found on the [policies page of our website](#).

## 11. YOUR RIGHTS

You have the following rights in connection with your personal information:

- **Subject Access Request** – you may ask to see a copy of any personal data we hold about you. This information will generally be provided within one month of us confirming your identity and understanding the scope of your request;
- **Rectification** – you may ask for your personal information to be amended or incomplete data completed;
- **Erasure** – you may ask for your personal information to be deleted;
- **Restriction** – you may ask for us to limit the processing of your personal information in some circumstances, for example, whilst we resolve a complaint. Restriction means that although we still store the data, we will not process it (or will not process it for certain purposes) until such time as the restriction may be lifted;
- **Portability** – you may ask for a copy of any personal data you have provided to us to be returned to you, or transmitted to another controller, in a commonly used machine readable format;



- **Objection** – you may object to us processing a specific type of personal information that requires your voluntary consent, unless there are legitimate grounds on which we can rely to process it;
- You may also request further detail about the safeguards we have in place regarding transfers of personal information outside of the EEA and, where applicable, a copy of the standard data protection clauses that we have in place.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. 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 generally one month, but actually fulfilling more complex or multiple requests, eg, those involving third party information, may take 1-2 months longer).

If you want to make any of the above requests or changes please contact us in writing (see section 13).

### **Your right to withdraw consent**

Where you have voluntarily supplied optional personal information, you can withdraw this consent at any time. Examples may include certain types of images or helping to promote and run a careers event.

## **12. CHANGES TO THIS PRIVACY NOTICE**

We may update this notice from time to time and publish a new version on the [Privacy Notices page](#) of our website. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable. We may also notify you in other ways from time to time about the processing of your personal information.

## **13. CONTACT AND COMPLAINTS**

If you have any queries about this privacy notice or about how we process your personal data, or if you wish to exercise any of your rights under applicable law, please contact the Data Compliance Administrator via [tracy.roslyn@doverbroecks.com](mailto:tracy.roslyn@doverbroecks.com).

If you are not satisfied with how we are processing your personal data, or how we deal with your complaint, you can make a complaint to the Information Commissioner's Office (ICO) [www.ico.org.uk](http://www.ico.org.uk), the UK supervisory authority for data protection issues. The ICO recommends that you take steps to resolve the matter with the school before involving them.

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