

# Privacy Notice – Staff



## 1. Definitions

**Data controller** - A controller determines the purposes and means of processing personal data. For the purposes of this Privacy Notice, Bradford Grammar School is the data controller.

**Data processor** - A processor is responsible for processing personal data on behalf of a controller.

**Data subject** – Natural person (staff for the purposes of this Privacy Notice)

**Special categories of personal data** - The General Data Protection Regulation (“GDPR”) refers to sensitive personal data as ‘special categories of personal data’ (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

**Staff** – means employees plus governors and trustees. Does not include volunteers, temps and contractor staff such as visiting music teachers (VMTs, their substitutes, or other independent contractors) as these individuals may be independent data controllers with their own Privacy Statement requirements.

**Processing** - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Third party** - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

## 2. Who are we?

Bradford Grammar School is an outstanding UK independent grammar school, which believes in providing every opportunity for its Junior and Senior pupils. We embrace academic, sporting and creative excellence within an aspirational, caring environment, which builds on our heritage while looking to the future. We nurture exciting and fulfilling lives shaped by our School’s traditional values and believe happiness is the key to an individual’s success. We are at ease with excellence.

Our Charity registration number is 529113, and we are registered at Bradford Grammar School, Keighley Road, Bradford, BD9 4JP.

Your privacy and confidentiality are of paramount importance to us. We are committed to protecting and respecting your privacy. This statement explains when and why we collect personal information, how we use it, the conditions under which we may process it and how we keep it secure.

## 3. What is Personal Data?

Personal data is information which relates to an individual and from which he or she can be identified either directly or indirectly through other data which the data controller has or is likely to have in its possession. These individuals are sometimes referred to as data subjects. Personal data does not include information about companies and organisations.

## 4. What do we hold?

We process personal data about prospective, current and past staff.

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual.

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Examples include:

- personal information (such as name, employee or teacher number, national insurance number)
- special categories of data such as gender, age, ethnic group
- recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter as part of the application process)
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- relevant medical information,
- disciplinary, grievance and performance information
- information about your use of our information and communications systems
- photographs and CCTV images
- addresses, emails and phone numbers (including emergency contact details),
- other payroll information
- swipecard records

## 5. Collecting, Handling and Sharing Personal Data

We collect most of the personal data we process directly from the individual concerned. Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain workforce data to us or if you have a choice in this. In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We 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.

In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as the school's professional advisors and relevant authorities (e.g. DBS, UK Visas and Immigration, HM Revenue and Customs, Independent Schools Inspectorate, Department for Education and Department for Work and Pensions). Some of our systems are provided by third parties such as Pass, SIMS, and SOCS. Please refer to their privacy statements. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions. We will store any information in accordance with our Data Protection and Data Retention policies.

## 6. Purposes for which we use Personal Data

We process personal data to fulfil our contract between the staff member and the School and in particular for:

- make decisions about recruitment, appointment, salary reviews, benefits and promotion
- check that individuals have the right to work in the UK
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid and, where appropriate, to deduct tax & NI Contributions
- manage performance, training and development
- handle disciplinary, dismissal and grievance matters
- conduct restructuring and redundancy processes
- manage sickness absence
- ensure the health, safety and security of our workforce, both physically and on our computer systems
- monitor equal opportunities
- for track and trace purposes

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## 7. What is the lawful basis on which we will use this information?

We need to process the workforce data for the following lawful reasons:

- to perform/administer the contract that we have entered into with you
- to comply with our legal obligations
- for the purposes of our legitimate interests or those of a third party, except where those interests are overridden by your interests, fundamental rights or freedoms. The Legitimate interest relied upon is to pay wages, provide health care and pensions and support employee welfare, and track and trace
- we may also process workforce data in the following situations, which are likely to be rare:
  - where we need to protect your vital interests (or someone else's vital interests)
  - where we have your consent

## 8. Special categories of data

Information such as racial or ethnic origin, sexual orientation, religious beliefs, trade union membership, genetic or biometric data and medical information including health and sickness records requires 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:

- in limited circumstances, with your explicit written consent
- where we need to carry out our legal obligations or exercise rights in connection with your employment
- where it is needed in the public interest, such as for equal opportunities monitoring or for our occupational pension scheme
- where there is a legitimate or legal requirement such as for track and trace purposes
- less commonly, where it is needed in relation to 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.

## 9. Information about criminal convictions

We will 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 obligations and provided that we do so in line with our data protection policy. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or where we are notified of such information directly by you in the course of you working for us.

## 10. Your Rights

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information contact our Data Protection Manager who is Mrs Homera Najib, Acting Bursar and Clerk to the Governors via [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) or by post to the address list in point 1. If any of the information we hold is incomplete or inaccurate, please tell us by contacting us at [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) and we will correct it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege. We will endeavour to provide you with requested information within one month. We can impose a charge for this information if the request is manifestly unfounded or excessive. If we do refuse a request, we will advise you accordingly within one month. If this eventuality did arise you have the right to complain in accordance with our complaints procedure. In addition, without prejudice you have the right to lodge a complaint direct to the Information Commissioner's Office if you have any concerns in relation to our information rights practices.

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You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of data protection legislation

If you have a concern about the way we respond to your request or wish to complain about this or how we are collecting or using your personal data, we request that you raise your concern with us in the first instance at [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) or, without prejudice, you have the right to lodge a complaint direct to the Information Commissioner's Office if you have any concerns in relation to our information rights practices via <https://ico.org.uk/concerns/>.

## 11. Use And Storage Of Your Information Overseas

Your information may be transferred to, stored and processed outside the European Economic Area (EEA). We do not transfer personal data outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.

Pass, SIMS, and iTrent state that they may transfer personal data of EEA data subjects to outside of the EEA. Please refer to their statements that can be found at <https://fireflylearning.com/privacy-policy-firefly-app-and-website> <http://www.wcbs.co.uk/privacy-cookies> and <https://www.mhr.co.uk/privacy-policy/> respectively.

## 12. Change Of Details

We try to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please notify [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) of any significant changes to important information, such as contact details, held about you. Changes to our Privacy Policy

We may change this Policy from time to time. Any changes made to the policy will be clearly detailed within this section. This Policy was last updated in May 2018 to be GDPR compliant.

## 13. Changes to our Privacy Policy

This privacy notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our employment contract, our Safeguarding Policy, Health & Safety Policies, Acceptable Use Policies and IT Policies.

We may change this Policy from time to time. Any changes made to the policy will be clearly detailed within this section. This Policy was last updated in August 2020 to be GDPR compliant.

## 14. Website Third Party Links

Our website may contain links to other websites run by other organisations. This Privacy Policy applies only to our website, so we encourage you to read the privacy statements on any other websites you visit. We cannot be responsible for the privacy policies and practices of other sites even if you access them using links from our website. We do not endorse the content of any external sites and we are not responsible or liable, directly or indirectly, for any loss however caused to you by your use of any external site.

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## **15. Miscellaneous**

The information on this website is for residents of the UK only. These Terms shall be governed by and construed in accordance with English law and the English courts shall have jurisdiction over any disputes between us.

## **16. Contact Us**

Any questions regarding this Policy and our privacy practices should be sent via [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com).

**Reviewed by Lupton Fawcett 23 May 2018**

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