

**Privacy Notice - staff**

*As a Christian school our vision is to promote ‘Life in All its Fullness.’ Our ethos is based on our 12 Christian values of hope, honesty, patience, joy, forgiveness, tolerance, thankfulness, respect, kindness, friendship, gentleness and love. It is within the vision and the ethos that this policy is written and will be implemented.*

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# 1. Introduction

Under UK data protection law, individuals have a right to be informed about how Holly Hill 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, Holly Hill Church School, are the ‘data controller’ for the purposes of UK data protection law. We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees and service providers in the performance of their duties.

Our data protection officer is Jo Robinson, Bursar (see ‘Contact us’ below).

# 2. The personal data we hold

* 1. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

##### personal information (such as name, employee or teacher number, national insurance number, bank account, address, contact details, date of birth, gender, next of kin and emergency contacts, nationality and entitlement to work in the UK, criminal record check);

* special categories of data for equal opportunities monitoring including characteristics information such as ethnic group and disability;
* contract information (such as the terms and conditions of employment; start dates, hours and days worked, post, tax, roles and salary / remuneration, including entitlement to benefits such as pensions);
* work absence information and annual leave (such as number of absences, including sickness absence, special leave and sabbaticals and the reasons for the leave);
* leave records (including maternity, paternity, adoption parental and shared parental leave);
* details of your qualifications (and, where relevant, subjects taught), skills, experience and employment history, including start and end dates, with previous employers;
* details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
* assessments of your performance, including performance improvement plans and related correspondence;
* copy of driving licence and passport;
* data about your use of the schools’ information and communication system.

We collect this information in a variety of ways. For example, data is collected through application forms; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment; from correspondence with you; or through interviews, meetings or other assessments (for example, team development/appraisals).

In some cases, we collect personal data about you from third parties. For example, references supplied by former employers and/or information from criminal records checks (known as DBS checks) permitted by law.

2.2 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 and CCTV images captured in school
* Trade union membership

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

2.4 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.

# 3. Why we use this data

We use the data listed above to:

1. Enable you to be paid
2. Facilitate safer recruitment, as part of our safeguarding obligations towards pupils
3. Support effective performance management
4. Inform our recruitment and retention policies
5. Allow better financial modelling and planning for budgets
6. Enable equalities monitoring
7. Improve the management of workforce data across the sector

3.1 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

# 4. Our lawful basis for using this data

As your employer, Holly Hill governors need to keep and process information about you for employment purposes. The information we hold and process will be used for our management and administrative use only.

Personal information is collected from you in order meet and discharge our contractual obligations and statutory duties as your employer.

If you fail to provide the personal information requested, amongst other things we may not be able to provide you with employment or a service for which you may be entitled/requested.

The legal basis for the use of your personal data will be one or more of the following:

* to satisfy our legal obligations and statutory duties as your employer.
* to carry out a task in the public interest or in the exercise of official authority in our capacity as a school.
* to meet our contractual obligations in relation to your statement of employment contract with us.

4.1 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 UK 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 by any 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 UK 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

# 5. 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

# 6. 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 Records management policy sets out how long we keep information about staff.

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.

# 7. 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 UK data protection law), we may share personal information about you with:

|  |  |
| --- | --- |
| Our Local Authority  Birmingham | We are required to share information about our workforce members with our local authority (LA) pursuant to s 5 the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments |
| The Department for Education (DfE) | We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.  The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including  maintained schools, academies and free schools and special schools including Pupil Referral Units and Alternative Provision).  All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005  visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>  All data is transferred securely and held by DfE under a combination of software and hardware controls which meet the current [government security policy framework](https://www.gov.uk/government/publications/security-policy-framework). For more information, please see ‘How Government uses your data’ section. |
| Birmingham City Council | Payroll and HR provider.  Occupational Health |
| West Midlands Pension, Teachers Pension | Pension provider |
| Schools Financial Services | Our Auditors and Financial consultants |
| Definitely HR | Employee Relations Consultant |

We may also share your information, with the following:

* Police forces, courts, tribunals
* Regulatory Bodies (Ofsted)

# 7. Your rights

7.1 How to access personal information that we hold about you

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).

7.2 Your other rights regarding your data

Under UK 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
* Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
* 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).

# 8. 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, via our Data Protection Officer or Head Teacher.

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

# 10. 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**:

* Jo Robinson, Bursar [j.robinson@hollyhill.bham.sch.uk](mailto:j.robinson@hollyhill.bham.sch.uk)