



JOHN F KENNEDY
CATHOLIC SCHOOL

INSPIRE • ACHIEVE • SERVE

GDPR - Privacy Notice for School Staff

GDPR Privacy Notice for Staff

Under data protection law, individuals have a right to be informed about how the 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, John F Kennedy Catholic School, Hollybush Lane, Hemel Hempstead, Hertfordshire HP1 2PH are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Miss M Brown and our Deputy Data Protection Officer is Miss P Earley. For contact details see contact us below.

The personal data we hold

We process data relating to those we employ, or otherwise engage, to work at our school. 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
- 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
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance management information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Information about your criminal record (if applicable)
- Photographs

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs
- Health, including any medical conditions and sickness records

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

Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable equalities monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Where it is needed in the public interest or for official purposes

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way

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 go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you, to enable us to comply with legal obligations and/or where it is needed in the public interest or for official purposes. The situations in which we will process your personal information are listed below.

- 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
- Checking the award of Qualified Teacher Status, completion of teacher induction and prohibitions, sanctions and restrictions that might prevent the individual from taking

part in certain activities or working in specific positions via the Teacher Services Online platform

- To maintain our single central record and to comply with our general safeguarding obligations
- To provide information on our website about our employees
- Paying you
- Administering the contract we have entered into with you
- 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
- Responding to complaints or investigations from stakeholders or our regulators
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship
- Providing references to prospective employers
- 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 health and safety obligations
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct a review and better understand employee retention
- To maintain and promote equality in the workplace
- To comply with requirements of the Diocese of Westminster to share personal data about employees to the extent that they require it to fulfil their functions
- To receive advice from external advisors and consultants
- In appropriate circumstances to liaise with regulatory bodies, such as the NCTL, the Department for Education, the DBS and the Local Authority about your suitability to work in a school or in connection with other regulatory matters

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

In addition, the school also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of an investigation (for staff or pupils) or to investigate other issues. CCTV footage involving staff will only be processed to the extent that it is lawful to do so.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers) or we may be unable to discharge our obligations which may be in the public interest or for official purposes.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data 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:

- (a) In limited circumstances, with your explicit written consent.
- (b) Where we need to carry out our legal obligations and in line with our data protection policy or safeguarding policy
- (c) Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our equal opportunities policy.
- (d) 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 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.

Our obligations as an employer

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

- We may use information relating to leaves of absence including the reasons for the leave, which may include sickness absence or family-related leave, sabbaticals, to comply with employment and other laws.
- We may 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 comply with the Equality Act 2010, to

monitor and manage sickness absence and to administer benefits.

- We may use information about your race or ethnic origin, religious, philosophical or moral beliefs, to ensure meaningful equal opportunity monitoring and reporting.
- The religious beliefs of some employees will be processed to assess their suitability to hold certain posts.

Do we need your consent?

We do not need your consent if we use your particularly sensitive information in accordance with our written policy where processing is necessary:

- to carry out our legal obligations or exercise specific rights in the field of employment law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- For reasons of substantial public interest, and is authorised by domestic law

In other circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract of employment with us that you agree to any request for consent from us.

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 obligations and provided we do so in line with our safer recruitment 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 envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our recruitment process and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your employment with us.

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 in the following ways:

1. To determine your suitability to your post.

Collecting this information

Whilst the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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.

How we store this data

Personal data is stored in line with our data protection policy which is available on our school website.

Personal data must be stored securely and not be kept for any longer than required. Some records have to be retained for minimum periods by law (such as records on employee payments and their taxation under tax laws). As a general rule, when personal data is no longer needed for the purposes for which it was collected, this personal data will be securely and permanently destroyed in line with the Hertfordshire County Council Retention Policy.

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with the Hertfordshire County Council Retention Policy.

Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary, we may share your data with organisations including, but not limited to the following:

- Our local authority – to meet our legal obligations to share certain information with them
- The Department for Education (DfE)
- The Diocese of Westminster
- The Disclosure and Barring Service
- Your family or representatives
- HMRC
- Our IT provider
- Educators and examining bodies
- The Pension Service
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have

contracted them for, such as payroll

- Financial organisations
- Our legal advisors
- Central and local government
- Our auditors
- Our insurers
- Health authorities
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Educational curriculum software to support pupils learning
- Employment and recruitment agencies

We require third parties to respect the security of your data and to treat it in accordance with the law. Some of the organisations referred to above are joint data controllers.

This means we are all responsible to you for how we process your data. We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Why might we share your 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, where it is needed in the public interest or for official purposes, or where we have your consent.

Department for Education

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.

Transferring data internationally

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

Your rights

How to access personal information we hold about you:

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- 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 our data protection officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to 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, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

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.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- 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:

Data Protection Officer, dpo@jfk.herts.sch.uk
John F Kennedy Catholic School
Hollybush Lane
Hemel Hempstead
Herts
HP1 2PH

Document Control

4: SCHOOL PUBLICATION SCHEME			
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