

PRIVACY POLICY – STAFF

ISI Reference:	
Rationale for the Policy:	This policy is created to ensure that The Grammar School at Leeds, GSAL Transport Ltd, and GSAL Enterprises (together GSAL) meets its data protection obligations, including those provided for in data protection legislation, whilst adhering to statutory requirements already extant within the education sector.
Policy aim:	To fulfil the transparency principle under the GDPR to inform staff of the data processing activities undertaken at GSAL.
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Agreed and Authorised by:	SLT
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**The School runs on FREDIE principles:
Fairness, Respect, Equality, Diversity, Inclusion and Engagement**

1. General Principles

- 1.1. The Grammar School at Leeds ("GSAL", "the school") is a data controller with registered address at Alwoodley Gates, Harrogate Road, Leeds, LS17 8GS and is committed to ensuring that personal data is handled in accordance with the principles set out in the UK General Data Protection Regulation (GDPR).
- 1.2. The school will process your information in accordance with the Data Protection Act 2018 and the GDPR. The school also complies with its own Data Protection Policy and Data Retention Schedule. To comply with the law, data must be collected and used fairly, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as necessary and not disclosed to any third party unlawfully.
- 1.3. This policy applies to current and former employees, consultants, coaches, governors, casual workers, supply staff, visiting music teachers, agency workers, extra-curricular providers, volunteers and individuals on work experience ("**Staff**").
- 1.4. This policy describes the categories of personal data that we collect, how we use your personal data, how we secure your personal data and when we may disclose your personal data to third parties. It also describes your rights regarding your personal data and how you can access, correct, and request erasure of your personal data.

2. What information do we hold?

- 2.1. Personal information is normally initially provided to the school by a prospective member of staff on an online application form (via a third-party) and is added to by the school over the course of employment.
- 2.2. Information about staff is retained and disposed of in accordance with the school's Data Retention Schedule.
- 2.3. Personal data is data relating to a living individual who can be identified from that data. To carry out our activities and obligations as an employer, we may collect, store, and process the following categories of personal data about you:
 - 2.3.1. personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
 - 2.3.2. date of birth;
 - 2.3.3. equal opportunities monitoring information (including racial or ethnic origin, religious beliefs, disabilities, sexual orientation, criminal convictions and offences);
 - 2.3.4. emergency contact information and details about dependants;
 - 2.3.5. copies of identification and ID photos;
 - 2.3.6. government identification numbers such national insurance number, driver's licence number or other identification card number;
 - 2.3.7. bank account details and payroll information;
 - 2.3.8. wage and benefit information;
 - 2.3.9. performance information, including but not limited to appraisal documentation, performance management information;
 - 2.3.10. pension enrolment information;
 - 2.3.11. health and absence information;
 - 2.3.12. education and training records;
 - 2.3.13. disciplinary and grievance records;
 - 2.3.14. employment records (including professional memberships, references, work history, proof of work eligibility, any additional employment, and information gathered through an exit questionnaire at the end of your employment, if disclosed);
 - 2.3.15. CCTV, internally and externally, at our offices and other premises where we operate our business, and in our car parks;
 - 2.3.16. details of your use of business-related social media, such as LinkedIn and Twitter;

- 2.3.17. details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence (including gathering evidence);
 - 2.3.18. details of your car (make, registration number, model) for parking in the staff car park;
 - 2.3.19. details of your management and leadership skills;
 - 2.3.20. details collected when you scan your ID card (time, date and location of door or charge point);
 - 2.3.21. other personal details included in an application form, or other information that you otherwise voluntarily provide to us.
- 2.4. If you are a governor of the school, we may collect further information about you relating to the following:
- 2.4.1. information on whether or not you have been a resident overseas for three months or more in the last five years;
 - 2.4.2. remuneration and directorship details;
 - 2.4.3. information relating to any significant shareholding you have of any companies or businesses;
 - 2.4.4. details relating to your interests and other charity trusteeships.

Some of the categories above may not apply to you if you are an agency worker, contractor, volunteer or if you are on a placement. If you would like further information, please contact HR

2.5. Collection and use of special categories of personal data

We may collect and process special categories of personal data where it is necessary for the purposes of performing or exercising our obligations or rights under Employment Law and industry obligations, for health purposes, in relation to equal opportunity treatment, and for preventing or detecting unlawful acts. Such special categories of personal data may include:

- 2.5.1. Information about your racial and ethnic origin; sexual orientation; religion, beliefs and disability information to ensure meaningful equal opportunity monitoring and reporting;
- 2.5.2. physical or mental health or condition or disability status to ensure employee safety in the workplace, provide appropriate workplace adjustments and to make decisions regarding a staff member's fitness to work;
- 2.5.3. information about past criminal convictions and cautions that are not filtered, as a condition of employment for all posts;
- 2.5.4. information about trades union membership in order to manage subscriptions, and trades union activities.

Special categories of personal data which we collect for the purpose of equal opportunities monitoring will be anonymised or is collected with the express consent of staff, which can be withdrawn at any time. Any request to cease processing of personal data must be sent to hrqueries@gsal.org.uk. Staff are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so. Some of the grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

3. **How does GSAL collect your information?**

We collect personal information in a variety of ways, including:

- 3.1. throughout your employment including information through your application form;
- 3.2. your passport/driving licence and other identity documents;
- 3.3. interviews and meetings;

- 3.4. third parties such as references supplied by former employers, information from employment background check providers, information from criminal records checks permitted by law;
- 3.5. directly from you or forms completed by you at the start of or during your employment and your personnel records;
- 3.6. the Home Office, pension administrators, insurance administrators and the DBS via a third party;
- 3.7. your doctors and from medical and occupational health professionals we engage;
- 3.8. from our benefit and training providers;
- 3.9. from your trade unions and other staff members;
- 3.10. from other professionals we may engage e.g. employment solicitors to advise us generally and/or in relation to any grievance, for example in relation to performance related matters;
- 3.11. from door entry systems, CCTV and access control systems;
- 3.12. from automated monitoring of our websites and other technical systems, such as our computer networks and connections, communications systems, remote access systems, email and instant messaging systems, intranet and Internet facilities, desktop telephones, voicemail, work mobile phone records, data loss prevention systems and firewalls.

4. Why do we process personal data?

- 4.1. The school only processes personal data where there is a relevant lawful basis. In the employment context this could be based on the fulfilment of a contractual obligation, legal obligation, a legitimate interest of ours or a third party (e.g., of running efficient school and business operations and as an employer), your consent or in your vital interest. This may include:
 - 4.1.1. providing details for library services, car parking provision and computer services (for photographs and ID cards);
 - 4.1.2. providing communications about GSAL news and events, such as through GSAL world;
 - 4.1.3. publicising and celebrating individual and school achievements, both internally and externally;
 - 4.1.4. provision of wellbeing, management of absence and support services (such as occupational health);
 - 4.1.5. compliance with legal obligations such as making external/statutory returns;
 - 4.1.6. managing and recording other leave such as leave of absence, maternity, paternity, parental and shared parental leave.
- 4.2. The school processes special category data to meet its administrative, contractual and legal obligations such as:
 - 4.2.1. equal opportunities monitoring;
 - 4.2.2. managing Human Resources processes such as administering sick pay and sick leave schemes, managing sickness absence, managing leave of absence, administering maternity leave and related pay schemes;
 - 4.2.3. managing obligations under Equal Opportunities legislation, including providing a fair and equal recruitment process and making reasonable adjustments in the workplace and at recruitment stages;
 - 4.2.4. provision of occupational health and wellbeing services to individuals;
 - 4.2.5. carrying out DBS checks in line with statutory requirements.
- 4.3. Lawful grounds
We process your personal data for the following purposes:
 - 4.3.1. in order to provide you with an employment contract, or take steps to enter into a contract;
 - 4.3.2. to pay you and to administer benefits such as pension and life insurance;

4.3.3. where you have consented to us processing your information.

- 4.4. In some cases, we need to process your data to ensure that we are complying with our legal obligations (e.g. our obligations to you under employment protection and health & safety legislation, and statutory codes of practice, such as those issued by ACAS).
- 4.5. In other cases, the school has a legitimate interest in processing personal data before, during and after the end of employment relationship. Processing staff data allows the school to:
- 4.5.1. run recruitment and promotion processes;
 - 4.5.2. manage Human Resources processes such as recruitment, payment of salaries and pensions, performance management, sickness management, disciplinary, grievance, capability processes and training and development;
 - 4.5.3. provide references for current / former staff;
 - 4.5.4. maintain contact with former staff where necessary;
 - 4.5.5. respond to and defending legal claims;
 - 4.5.6. manage a safe environment and ensuring fitness for work.

5. How do we use your information within the school?

- 5.1. Within the school, personal data may be shared between colleagues who legitimately need the information to carry out their duties.
- 5.2. Registration with computer services means that your name, work email address and work telephone number will appear in the school's internal email and telephone directory and on the intranet system.
- 5.3. Staff photographs are used on the school intranet system, notice boards and lanyards for the purposes of identification and security. The school may occasionally commission photographs around school at specific school events or on the school's social media and web platforms (which could include images of staff for inclusion in promotional material).
- 5.4. The school may monitor computing use through user names and login details to ensure adherence to the Acceptable Use Policy and staff Code of Conduct.
- 5.5. The school is required to obtain information about past criminal convictions and cautions that are not filtered, as a condition of employment for all posts. The school also undertakes DBS checks on all staff.
- 5.6. The amount of personal information shared within the school will be no more than is reasonably necessary.
- 5.7. There are occasions when the HR department may need to share your special category data confidentially, with work colleagues within the school. For example, the HR department may discuss information with managers about individuals to inform the occupational health process or return to work support.

6. Who has access to your data?

- 6.1. Your personal data may be shared internally, including with finance, computer services, your line manager and managers in the department in which you work.
- 6.2. The school shares your data with third parties in order to obtain pre-employment references from other employers, employment background checks from third-party providers, necessary criminal records checks from the Disclosure and Barring Service (DBS), Teaching Regulation Agency and where there is a statutory obligation to share the data, i.e. HRMC, census, court orders, employment tribunals, ISI (inspection data).
- 6.3. The school also shares your personal data with third parties that process data on our behalf, in connection with the school's provision of education services, management information systems, payroll, recruitment, pensions, legal advisors, the provision of benefits and the provision of occupational health services.

7. Do we transfer your personal data to other countries?

We may transfer your data outside of the UK, for example when a software provider is located outside of the UK or for international trips. In such cases the school will ensure that appropriate safeguards are in place (such as the use of standard contractual clauses provided by the European Commission for such purposes or, adequacy decisions) along with information about those safeguards.

8. How does the school protect your personal data?

- 8.1. The school takes the security of your data seriously. Internal policies and controls have been put in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its staff in the performance of their duties.
- 8.2. Where the school engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.
- 8.3. Should there be a personal data breach affecting you then, we'll inform you, without undue delay or no later than 72-hours of discovering the breach. Where there is a high risk to the rights and freedoms of individuals, will be required, as per their legal obligations to report a personal data breach to the Information Commissioner's Office.

9. For how long does the organisation keep data?

The personal data of staff is retained for the duration of your employment with us and thereafter for as long as the personal data are needed as set out in the school's Data Retention Schedule. Generally this will be 6 years after your employment.

10. Your rights

You have a number of rights under the Data Protection Legislations, these include:

- 10.1. **Right of Access** – You have the right of access to information we hold about you. We have up to one month to provide you with the information and at no cost to you. We will provide you with a copy of the information we hold that relates to you. For more information, please see our *Data Protection Policy* and *Procedure for handling information rights requests*.
- 10.2. **Right to rectification or erasure** – If you feel that any data we hold about you is inaccurate, you have the right to ask us to correct or rectify it. You also have a right to ask us to erase information about you where you can demonstrate that the data we hold is no longer needed by us, or if you feel that we are unlawfully processing your data. Your right of rectification and erasure extends to anyone we have disclosed your personal information to and we will shall take all reasonable steps to inform them about your request.
- 10.3. **Right to Restriction of processing** – you have a right to request that we refrain from processing your data where you contest its accuracy, or the processing is unlawful and you have requested its erasure, or where we don't need to hold your data anymore but you need us to in order to establish, exercise or defend any legal claims, or we are in dispute about the legality of our processing your personal data.
- 10.4. **Right to object** – you have a right to object to our processing of your personal data where the basis of the processing is our legitimate interests including but not limited to direct marketing and profiling.
- 10.5. **Right to data portability** - you have a right to receive any personal data that you have provided to us in order to transfer it onto another data controller where the processing is based on consent or performance of a contract and is carried out by automated means. This is called a data portability request.
- 10.6. **Rights related to automated decision-making, including profiling** – you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects or similarly significantly affects you.
- 10.7. If you would like to exercise any of these rights, please contact the school's Data Protection Officer, Mr. N Stott at dpo@wntai.co.uk (or by post to 'care of' WNTAI, The

Grammar School at Leeds, Alwoodley Gates, Harrogate Road, Leeds, LS17 8GS). For internal queries regarding this Privacy Notice, you can contact HR.

- 11.** More information about your data protection rights can be found on the Information Commissioner's Office (ICO). You also have a right to lodge a complaint about any aspect of how we are handling your data with the ICO and can do so by contacting:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113 | www.ico.org.uk

12. Withdrawing consent

Where you have provided your consent to the collection, processing and transfer of your personal data, you may withdraw that consent at any time. This will not affect the lawfulness of data processing based on consent before it is withdrawn. To withdraw your consent please contact hrqueries@gsal.org.uk

13. Automated decision-making

We do not make any decisions about you, using automated means and we do not envisage this changing in the near future. If the situation does change, we will notify you in writing.

14. What if you do not wish to provide your personal data?

- 14.1. Under your contract of employment, you are required to provide the school with your personal data. Additional data such as absences from work may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the school with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.
- 14.2. Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the school to effectively administer your contract of employment. If you do not provide this information, the school will not be able to administer your rights and obligations arising as a result of the employment relationship.

15. Changes to this Privacy Notice

We may change this Privacy Notice from time to time. Any significant changes to the terms will be published on the school's intranet and you will be notified of such changes.