



## STAFF PRIVACY NOTICE

## HERNE BAY HIGH SCHOOL IS A DATA CONTROLLER

Herne Bay High School are the 'data controller' of any personal data about individuals we employ, or otherwise engage, to work at our school for the purposes of data protection law. This means the school determines the purposes for which, and the manner in which, any personal data relating to employees and their families is to be processed.

In some cases, personal data will be provided to a third party processor; however, this will only occur with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Herne Bay High School upholds are imposed on the processor.

Mr S Waters is Herne Bay High School's data protection officer. Their role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on 01227 361221 or [dataprotection@hernebayhigh.org](mailto:dataprotection@hernebayhigh.org). Notification of the use of personal data at Herne Bay High School is disclosed within the Information Commissioner's Office register entry Z923423X.

## THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

Herne Bay High School 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
- Carry out a task in the public interest
- Protect your vital interests (or someone else's interests)

We collect and use personal data in order to meet legal requirements and legitimate interests set out in UK law, including those in relation to the following:

- Basis B of Article 6, and Basis B of Article 9, of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

Whilst the majority of personal data you provide to us is mandatory, some is provided to us on a voluntary basis.

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.

## THE PERSONAL DATA WE COLLECT, HOLD AND SHARE INCLUDE:

- Contact details (such as name, address, contact information)
- Date of birth, marital status and gender
- Medical information (such as details of medical conditions, dietary requirements)
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- 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 information
- Trade Union membership
- Outcomes of any disciplinary and/or grievance procedures
- Absence data

- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the school's information and communications system

## WHY WE COLLECT AND 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 pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body
- to assess the quality of our services
- to comply with the law regarding data sharing

## STORING PERSONAL DATA

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 guidance provided to schools within the Information and Records Management Society's toolkit for schools.

## 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 (and it complies with data protection law) we may share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- Your family and representatives
- Educators and examining bodies
- Our regulator (Ofsted)
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Trade Unions and associations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Employment and recruitment agencies

## REQUESTING ACCESS TO YOUR PERSONAL DATA

Under data protection legislation, individuals have the right to make a 'subject access request' to gain access to personal information that the school holds about them.

Employees and their families have the following rights in relation to the processing of their personal data:

- Be informed how Herne Bay High School uses your personal data.
- Request access to the personal data that Herne Bay High School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason or legal basis for its continued processing.
- Request that the processing of your data is restricted.

Employees 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
- claim compensation for damages caused by a breach of the Data Protection regulations

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

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 download the Subject Access Request template provided on the Data Protection & Privacy page of our school website <http://www.hernebayhigh.org/188/data-protection-privacy>.

Under the GDPR we will not charge a fee to provide this information, and in most cases, must supply the information electronically within 1 month.

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/> or on 0303 123 1113, Monday-Friday 9am-5pm. Kent County Council's Management Information Team can be contacted at [management.information@kent.gov.uk](mailto:management.information@kent.gov.uk).

## 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