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Line Manager: NS
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Chetham's

Staff Privacy Notice (Data Protection)

Introduction

You have a legal right to be informed about how Chetham's controls, and uses (processes) any personal information (data) that we hold about you. This Privacy Notice explains how we collect, store and use your personal data at our school. It is a more focused version of our full *Data Protection Policy*.

We do our best to look after (protect) your personal information. Our Data Protection Officer is Mr. Runswick-Cole who ensures that the data at Chetham's is handled safely and that we follow data protection laws. He is contactable at dpo@chethams.com if you need support regarding your data.

The Personal Data We Process

We hold some personal information about you to make sure we can support you in your work. Some of this information might com from other places too, like previous employers, DBS service, police. Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Personal information such as: name; teacher / employee number
- Your contact details including emergency contacts
- Your annual review / appraisal
- Nationality (for right to work in the UK)
- Your attendance record including reasons for absence
- Your qualifications and subjects taught
- Details of any conduct issues including any alcohol or drugs tests
- Details of any safeguarding concerns
- Salary / pay and associated data such as bank details; Pension and National Insurance number contributions, as they appear on your statement of pay
- Your next place of employment
- References from and to us
- Recruitment details.

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 your characteristics, like your ethnic background, gender or any special educational needs or disabilities you may have
- Information about any medical conditions you have
- Photographs and CCTV images
- Digital network usage
- Audio and video recordings.

Why We Use This Data (Purposes)

We use the data listed above to:

- Get in touch with you when we need to
- Check how you're doing at work
- Pay you
- Check your rights to work
- Track how well the school as a whole is performing
- Look after you and promote your personal wellbeing
- Ensure we are providing a safe and secure environment
- Ensure staff and students are Safeguarded
- Promote your interests
- Monitor equality and diversity
- Protect and promote our interests and objectives, staff deployment, including fundraising and marketing activities
- Provide the educational services required by the School
- Meet legal, regulatory and contractual obligations.

Use Of Your Personal Data For Marketing Purposes

Where you have given us consent to do so, we may send you messages by email or text promoting Chetham's events, that you might be interested in. You can take back this consent or 'opt out' of receiving these emails and / or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us at dpo@chethams.com.

Use Of Your Personal Data In Automated Decision Making And Profiling

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement. If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

Lawful Bases For Processing Your Personal Information

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this. Our lawful bases for processing your personal information for the reasons listed above are for the purposed of:

- tracking school and individual performance, in accordance with the 'public task' basis: we need to process data to fulfil our official duties as a school as set out here: https://www.legislation.gov.uk/uksi/2014/3283
- checking how you are progressing in work; looking after your wellbeing, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law and DfE advice: https://assets.publishing.service.gov.uk/media/66fc13673b919067bb482a4e/Staffing_and_employment_advice_for_schools.pdf
- For the purposes of safeguarding children at the School vetting to verify your identity and credentials, qualifications, employment record etc as set out here: https://www.gov.uk/government/publications/keeping-children-safe-in-education--2
- contacting you and for marketing in accordance with the 'consent' basis: we will obtain consent from you to use your personal data
- ensuring your wellbeing and safety in accordance with the 'vital interests' basis: we will use this personal data in a life-or-death situation
- monitoring your progress in accordance with the 'contract' basis: we need to process personal data to fulfil a contract with you or to help you enter into a contract with us
- contacting you in accordance with the 'legitimate interests' basis: where there's a minimal privacy impact and we have a compelling reason, including:

    - Keeping you safe and well
    - Keeping others safe and well
    - To carry out our business as an education provider
    - To communicate with you about your professional development
    - To carry out the terms of our contract with you.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to. You can also ask for your personal data to be erased unless we have to keep it to fulfil our legal duties.

Our Basis For Using Special Category Data

For 'special category' data (more sensitive personal information), 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 data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under 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 information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use 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 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 obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation.

Collecting This Data

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily. Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if 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 councils
- Government departments or agencies e.g. the NHS, DfE
- Police forces, courts, tribunals
- Previous employers.

How We Store This Data

We keep personal information about you while you're working at Chetham;s. We may also keep it beyond your employment at school if this is necessary. Chetham's data storage systems are designed to minimise the amount of data collected, used and stored. The systems are also designed to keep your data as safe as possible. Any data you submit in digital or physical form including video or audio recordings will be retained, secured and disposed of in accordance with the terms of our *Data Protection Policy* which has regard to the General Data Protection Regulation (GDPR) (2016) and the UK Data Protection Act (2018). We also follow the guidelines of the Information and Records Management Society.

Our record retention schedule sets out how long we would normally keep information about staff:

Type of data	**Retention: Academic year + X years**
Staff	
Personnel files, which includes references, absence, discipline, safeguarding.	• Termination of employment + 6 years

Recruitment Notes	• 6 months after appointment of the successful candidate.
Appraisals/annual reviews	• 5 years
Address/contacts lists	• 1 year since an unsuccessful application or last point of contact / 10 years anonymised
Child Sexual Abuse	
Records and allegations on staff and student files	• 75 years minimum. (Recommendation 7 from the IICSA). See IICSA Data Retention Check list.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

With Whom Do We Share Data?

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it's legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- Our local authority Greater Manchester: to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Your family or representatives
- Government departments or agencies such as the DfE, NHS, Local Authority
- Our youth support services provider, Manchester Safeguarding Partnership
- Our regulator, ISI
- Our caterers, Sodexo
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Employment and recruitment agencies
- Professional bodies.

DBS Database

We have to provide information about you to the Department for Education and DBS service. The information the DfE holds is collected securely from employers, local authorities, and others. The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data. You can find more information about this on the Department for Education's webpage on how it collects and shares research data. You can also contact the Department for Education if you have any questions about the database.

Transferring Data Internationally

If we have to send your data somewhere outside the UK we will follow European Commission and UK GDPR data safeguarding guidelines. We may share personal information about you with the following international third parties outside of the European Economic Area, where different data protection law applies:

- Microsoft OneDrive
- Overseas Schools or other institutions to which you might apply

If you are going to apply to a school or Higher Education institution overseas then we will ask for your explicit permission to transfer your data to them for the purposes of providing a reference and helping you to secure a place there.

We may also seek their reassurances that their data protection policies and practice follow ICO guidelines and data protection law. If we undertake such safeguarding arrangements, we will keep a copy which you can request by contacting us.

How To Access Personal Information That We Hold About You

You have a right to make a 'subject access request' (SAR) to gain access to personal information that we hold about you. If you make a SAR, and if we do hold information about you, we can (unless there's a really good reason why we shouldn't such as safeguarding, including allegations):

- Give you a description of it
- Tell you why we are holding and using 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 (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form.

You may also have the right for your personal information to be shared with another organisation in certain circumstances. If you would like to make a request, please contact us at dpo@chethams.com.

Please note that Chetham's is not a public body and is, therefore, not subject to the Freedom of Information Act 2000.

Formal references remain confidential and cannot be shared.

Your Other Rights Regarding Your Data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office

- Claim compensation if the data protection rules are broken and this harms you in some way.

To exercise any of these rights, please contact us at dpo@chethams.com.

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 concerns about our data processing, please let us know first at dpo@chethams.com. We will do our best to resolve your complaint informally. We will follow our *Concerns and Complaints Policy* and *Grievance Policy*.

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

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**:

- Mr J Runswick-Cole: dpo@chethams.com; 01618387200 extn 123