



# DATA PROTECTION PRIVACY NOTICE TO STAFF, VOLUNTEERS, CONTRACTORS AND THIRD PARTIES

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| Title            | DATA PROTECTION PRIVACY NOTICE TO STAFF,<br>VOLUNTEERS, CONTRACTORS AND THIRD PARTIES |
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| Validity         | Staff, Volunteers, Contractors and Third Parties<br>(excluding pupils and parents)    |
| Next review date | May 2019 or sooner if required  |

## 1. General Statement of the School's Duties

The school is required to collect, store and process relevant personal data regarding pupils, their parents and guardians, staff and third parties (referred to as "data subjects") as part of its operations. The school is a "data controller" for the purposes of data protection law.

Individuals have a right to be informed about how the school uses ("processes") any personal data it holds about them. This "privacy notice" explains how we collect, store and use personal data about staff, volunteers, contractors and other third parties.

Processing includes obtaining, recording, holding, disclosing, destroying or otherwise using data. It also includes any operation or set of operations on the data including organising, amending, retrieving and using the data. In this Statement any reference to pupils include current, past or prospective pupils.

## 2. Data Protection Officer

The school has appointed Matthias Krauss as its Data Protection Officer. He will endeavour to ensure that all personal data is processed in compliance with this Statement and the principles of the General Data Protection Regulation.



### **3. The Data Protection Principles:**

The school will, as far as is reasonably practicable, comply with the Data Protection Principles (“the Principles”) contained in the General Data Protection Regulation to ensure all data is:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

### **4. Personal Data the School Holds**

“Personal data” is information, which relates to a living individual who can be identified from that data, or from that data and other information, which is likely to come into the possession of the data controller.

The School processes a wide range of personal data of staff, contractors and third parties as part of its operation.

This personal information include (but is not limited to)

- Contact details;
- Dates of birth, marital status and gender;
- Next of kin and emergency contact numbers;
- Salary, annual leave, pension and benefits information;
- Bank details, payroll records, tax status information and National Insurance Number,
- Recruitment information, including copies of references and other information included in the CV or covering letter as part of the application or contracting process;



- Qualifications and employment records, job titles, training records and professional memberships;
- contract details
- Outcomes of any disciplinary or grievance procedures;
- Absence data;
- Complaints data;
- Copy of passport and/or ID and driving licence;
- Photographs; videos and other media
- CCTV footage;
- Email correspondence with the school;
- Attendance information;
- CCTV images captured in school;
- Responses to surveys and questionnaires conducted by the school;

We may also collect, store and use information about you that falls into the “special categories of more sensitive personal data. This includes information about:

- Race, ethnicity, religious beliefs, sexual orientation and political opinions;
- Trade union membership;
- Health, including any medical conditions or sickness records.
- Fingerprint data;
- Criminal records.

## **5. Why the School Uses the Data**

In carrying out the School’s business, it may collect and process personal data for the following purposes:

- to enable it to provide education and training conducted outside the State system (including the monitoring of the effectiveness of its services), pastoral, welfare and educational support services for its pupils,
- in order to carry out right to work checks, enrol qualifying employees into a pension scheme, make decisions about recruitment or promotion, make decisions about their continued employment or engagement, training and development etc.
- to enable you to be paid,
- to facilitate a safe recruitment process, as part of its safeguarding obligations towards pupils, to support effective performance management,
- to inform its recruitment and retention policies,
- to allow financial modelling and planning,
- to enable ethnicity and disability monitoring,
- to improve the management of workforce data across the sector, and to support the work regulators,
- to administer school property, library-, bus and cafeteria services,
- to maintain its accounts and records,
- to assess the quality of the school’s services, to carry out research and surveys, to comply with the law regarding data sharing, and to support and manage staff.



The school's processing also includes the use of CCTV to maintain the security of the premises and for preventing and investigating crime. This list is not exhaustive and may be amended from time to time. This may include data the School receives directly from a data subject (such as staff or contractors completing a form or corresponding with the School by mail, phone, email or otherwise) and data the School receives from other sources (including but not limited to examination boards, medical professionals and other schools).

## **6. Processing of Personal Data**

The School will only process personal data for the specific purposes as set out above or for any other purposes specifically permitted by the General Data Protection Regulation. The School will notify staff and third parties when it first collects the data or as soon as possible thereafter. Consent may be required for the processing of personal data unless the processing is necessary for the School to undertake its obligations to pupils and their parents or guardians or to pursue the school's legitimate interests. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Statement (i.e. if required by law).

## **7. Sensitive Personal Data**

The School may, from time to time, be required to process sensitive personal data regarding staff. Sensitive personal data includes medical information, fingerprints and data relating to religion, race, sexuality, political opinions, trade union membership or criminal records and proceedings.

The school processes sensitive personal data where this is necessary for the purposes of its provision of education and training (including the monitoring of the effectiveness of its services), pastoral, welfare and educational support services, recording sickness absence, assessing fitness to work, making reasonable adjustments, administering sick pay, equalities monitoring, to administer school property services and cafeteria services, to maintain its accounts and records, to assess the quality of the school's services, to carry out research, to comply with the law regarding data sharing and to support and manage its staff. The school will take careful measures to safeguard the right to data protection. This includes the secure storage of such data on its site, and the encryption of any electronic documents shared externally.

## **8. The School's legal basis for using this data**

The school collects and uses staff and third party data when the law allows it to. It is processed:

- To fulfil the contract the school has entered into with you;
- In order for the school to comply with a legal obligation;
- When the school needs to perform an official task in the public interest;
- When the processing is necessary for the purposes of the legitimate interests pursued by the school, and such interests are not overridden by the interests or fundamental rights of the data subject which require protection of personal data, in particular where the data subject is a child.

The school may also process personal data in situations where:



- It has obtained the consent in a certain way;
- It needs to protect the individual's vital interests (or someone else's interests).

Where the school has obtained the consent to use staff personal data, this consent can be withdrawn at any time. It will make this clear when it asks for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using staff and third parties' personal data overlap, and there may be several grounds, which justify the use of this data.

## **9. How the school store this data**

The school keeps personal information about staff in an employment file for each staff member. The information contained in this file is kept secure and is only used for the purposes directly relevant to your employment.

Once employment has ended, it will retain the file and delete the information in it in accordance with its records management schedule/policy. On request, the school can provide a copy of its record retention management schedule, revised as part of its impact assessment.

The school keeps personal information about contractors and third parties for as long as it is reasonably required in order to fulfil the contractual and/or other lawful purpose for which the data was collected.

## **10. Sharing data**

The school shares data with the following organisations.

- The local authority;
- The Department of Education;
- Educators and examining bodies;
- Our regulator;
- Suppliers and service providers, in particular pension and payroll providers;
- Financial organisations;
- Central and local government;
- Our auditors;
- Professional advisors and consultants assisting the school in improving its services;
- Survey and research organisations;
- Health authorities;
- Health and social welfare organisations;
- Employment and recruitment organisations;
- Professional bodies;
- Police forces, courts, tribunals

In addition, the school shares data and photographs of its public events and of school life in circumstances where such data and/or photographs are placed on the school's website and its social media platforms, in the school's brochure or yearbook, and its school and alumni newsletters. In some instances, it will be in the school's legitimate interest to publish staff photographs and names in such



publications and platforms. The school will, however, take reasonable efforts to ensure that such publications do not unduly infringe the privacy of any individuals.

From time to time, the school may receive requests from third parties to disclose personal data it holds about staff. The School confirms that it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the General Data Protection Regulation applies. However, the School does intend to disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a member of staff or contractor to any educational institution which the member of staff or contractor has applied to.

Where the School receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure. Whenever possible, the member of staff, contractor or third party will further be notified prior to disclosing any information to third parties.

### **11. Transferring Data Internationally**

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

### **12. Rights of Access**

Individuals have a right of access to information held by the School. Any individual wishing to access personal data, which the School holds on them should put their request in writing to the DPO. In responding to any data subject access requests, certain information, is exempt from the right of access. This may include information, which identifies other individuals, information, which the School reasonably believes is likely to cause damage or distress, or information, which is subject to legal professional privilege.

Further any reference given by the School for the purpose of education, training or employment, or prospective education, training or employment of any pupil is confidential and therefore the School may withhold disclosure in response to any data subject access request. The School acknowledges that an individual may have the right of access to a reference relating to them received by the School. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

### **13. Other Rights**

The rights under the data protection law are the individual's to whom the data relates. This includes the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress;
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate data corrected, deleted or destroyed, or restrict processing



- Claim compensation for damage caused by a breach of the data protection regulations

#### **14. Accuracy**

The School will endeavour to ensure that all personal data held in relation to an individual is accurate. The School will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. The School will take all reasonable steps to destroy or amend inaccurate or out of date data. Individuals must notify the school of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

#### **15. Security**

The School will take reasonable steps to ensure that personal data is stored and destroyed securely. Access to personal data concerning staff, contractors and third parties is to be given on a need to know basis only.

#### **16. Enforcement**

The school takes any complaints about the collection and use of personal information very seriously.

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with data protection law, they are asked first to contact the Data Protection Officer.

Alternatively, the individual can make a complaint to the Information Commissioner's Office.

- Report a concern online at <https://ico.org.uk/concerns>
- Call 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

#### **17. 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:

Matthias Krauss, Commercial Director, German School Association Ltd. Douglas House, Petersham Road, Richmond TW10 7AH, UK. [Matthias.krauss@dslondon.org.uk](mailto:Matthias.krauss@dslondon.org.uk) +44 (0)208 940 2510.