

Staff and Governor PRIVACY NOTICE

In the course of your employment, engagement or other basis of work undertaken for or provided to the school, we will collect, use and hold (“process”) personal data relating to you as a member of our You. This makes the school a data controller of your personal information, and this Privacy Notice sets out how we will use that information and what your rights are.

Who this document applies to

Academic and other employees, School Governors, third party contractors, itinerant teachers, casual workers, temporary workers and volunteers who may be employed or engaged by the school to work for it in any capacity, as well as prospective applicants for roles. It also applies to governors. For the purposes of this policy, all the roles listed above will be referred to as “You” – use of this terminology in this policy in no way confers employment status on non-employees.

This notice is not aimed at pupils, or parents of pupils (whether current, past or prospective) or other members of the public, nor does it inform You how to handle the personal data of the same. This information may be found in the school’s Privacy Policy for Pupils and Parents and Data Protection Policy, which provide further details.

Who We Are

We are Tring Park School for the Performing Arts, registered as The AES Tring Park School Trust registration no. 2962095, Charity No. 1040330 (“the School”, “we”, “us”). We are the data controller for the purposes of the UK General Data Protection Regulation and the Data Protection Act 2018. Our registered address is Mansion Drive, Tring, Hertfordshire, HP23 SLX.

About this notice

This You Privacy Notice explains how the school collects, uses and shares (or "processes") personal data of You, and your rights in relation to the personal data we hold.

This information is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used. You are encouraged to read this Privacy Notice and understand the School’s obligations to its entire community.

This notice applies to all You. This notice does not form part of any contract of employment or other contract to provide services. We may update this Privacy Notice at any time, but if we do, we will provide you with an updated copy of this notice as soon as reasonably practical.

This Privacy Notice also applies in addition to the school's other relevant terms and conditions and policies, including:

- Any contract between the school and You, such as the terms and conditions of employment, and any applicable You handbook.
- the school’s CCTV policy;
- the school’s retention of records policy;
- the school's safeguarding, pastoral, anti-bullying, or health and safety policies, including as to how concerns or incidents are reported or recorded (both by and about You); and
- the school's IT policies, including its Online safety IT and acceptable use policy

This You Privacy Notice also applies alongside any other information the school may provide about particular uses of personal data, for example when collecting data via an online or paper form, together with any other privacy notice the School may provide.

Data Protection Principles

We will comply with data protection law, which says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

How we collect your information

We may collect your personal data in a number of ways, for example:

- from the information you provide to us during the recruitment process, for example when you come for an interview;
- when you submit a formal application to work for us, and provide your personal data in application forms, CVs and covering letters, etc.; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), in order to verify details about you and/or your application to work for us.
 - when you provide or update your contact details;
 - when you or another member of You completes paperwork regarding your performance appraisals;
 - in the course of fulfilling your role more generally, including by filling reports, note taking, or sending emails on School systems;
 - in various other ways as you interact with us during your time working with us, and afterwards, where relevant, for the various purposes set out below.

The types of information we collect

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- contact and communications information, including:

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- your contact details (including email address(es), telephone numbers and postal address(es);
- contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Privacy Notice;
- records of communications and interactions we have had with you;
- biographical, educational and social information, including:
 - your name, title, gender, nationality and date of birth;
 - your image and likeness, including as captured in photographs taken for work purposes;
 - details of your education and references from your institutions of study;
- financial information, including:
 - your bank account number(s), name(s) and sort code(s) (used for paying your salary and processing other payments);
 - your tax status (including residence status);
 - Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings);
 - information related to pensions, national insurance, or employee benefit schemes;
- work related information, including:
 - details of your work history and references from your previous employer(s);
 - your personal data captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the school;
 - details of your professional activities and interests;
 - your involvement with and membership of sector bodies and professional associations;
 - information about your employment and professional life after leaving the School, where relevant (for example, where you have asked us to keep in touch with you);
- and any other information relevant to your employment or other engagement to work for or provide services to the school.

Where this is necessary, we may also collect special categories of data, and information about criminal convictions and offences, including:

- information revealing your racial or ethnic origin;
- trade union membership, where applicable;
- information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment);
- information concerning your sexual life or orientation (for example, in the course of investigating complaints made by you or others, for example concerning discrimination); and
- information concerning your political opinions;
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations);

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your employment or other engagement to work for the School.

The bases for processing your personal data, how that data is used and whom it is shared with

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract, we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

(i) *Entering into, or fulfilling, our contract with you*

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, such as a contract of employment or other engagement with us. In this respect, we use your personal data for the following:

- administering job applications and, where relevant, offering you a role with us;
- carrying out due diligence checks on you, whether during the application process for a role with us or during your engagement with us, including by checking references in relation to your education and your employment history;
- once you are employed or engaged by us in any capacity, for the performance of the contract of employment (or other agreement such as a contract to provide services) between you and us;
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us;
- monitoring your attendance and your performance in your work, including in performance appraisals;
- promoting the School to prospective parents and others, including by publishing the work product(s) you create while employed by or otherwise engaged to work for the School;
- for disciplinary purposes, including conducting investigations where required;
- for other administrative purposes, for example to update you about changes to your terms and conditions of employment or engagement, or changes to your pension arrangements;
- for internal record-keeping, including the management of any You feedback or complaints and incident reporting; and

- for any other reason or purpose set out in your employment or other contract to provide services to us.

(ii) **Legitimate Interests**

We process your personal data because it is necessary for our (or sometimes a third party's) legitimate interests. Our "legitimate interests" include our interests in running the School in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, we use your personal data for the following:

- providing you with information about us and what it is like to work for us (where you have asked for this, typically before you have made a formal application to work for us);
- for security purposes, including by operating security cameras in various locations on the School's premises;
- to enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- to provide education services to pupils, including where such services are provided remotely (either temporarily or permanently). See also relevant DfE guidance ([Safeguarding and remote education during coronavirus \(COVID-19\)](#)) – and any subsequent updates).to safeguard You and pupils' health and welfare and provide appropriate pastoral care;
- to safeguard pupils' welfare and provide appropriate pastoral care;
- to carry out or cooperate with any School or external complaints, disciplinary or investigatory process;
- for the purposes of management planning and forecasting, research and statistical analysis;
- in connection with organising events and social engagements for You;
- contacting you for business continuity purposes, to confirm your absence from work, etc.;
- contacting your designated emergency contact person if we are unable to reach you and we have not already been notified of your absence or in the event of an emergency;
- to monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's Online safety IT and acceptable use policy and government guidance such as KCSIE.

(iii) **Legal Obligations**

We also process your personal data for our compliance with our legal obligations, notably those in connection with employment, charity, tax law and accounting, and child welfare. In this respect, we use your personal data for the following:

- to meet our legal obligations (for example, relating to child welfare, social protection, diversity, equality, and gender pay gap monitoring, employment, and health and safety);

- for tax and accounting purposes, including transferring personal data to HM Revenue and Customs to ensure that you have paid appropriate amounts of tax, and in respect of any Gift Aid claims, where relevant;
- for the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

(iv) Special categories of data

We process special categories of personal data (such as data concerning health, religious beliefs, racial or ethnic origin, and sexual orientation or union membership) or criminal convictions and allegations for the reasons set out below.

We will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your employment.

In particular, we process the following types of special category personal data for the following reasons:

- your physical or mental health or condition(s) in order to record sick leave and take decisions about your fitness for work, or (in emergencies) act on any medical needs you may have;
- recording your racial or ethnic origin in order to monitor our compliance with equal opportunities legislation;
- trade union membership, in connection with your rights as an employee and our obligations as an employer;
- categories of your personal data which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment;
- data about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the DBS, or where it is necessary to record or report an allegation (including to police or other authorities, with or without reference to you);

We will process special categories of personal data for lawful reasons only, for example because:

- you have given us your explicit consent to do so, in limited circumstances where consent is appropriate;
- it is necessary to protect your or another person's vital interests, for example, where you have a life-threatening accident or illness in the workplace and we have to process your personal data in order to ensure you receive appropriate medical attention;
- it is necessary for some function in the substantial public interest, including the safeguarding of children or vulnerable people, or as part of a process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations); or
- it is necessary for the establishment, exercise or defense of legal claims, such as where any person has brought a claim or serious complaint against us or you.

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for 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 with us that you agree to any request for consent from us.

We do not need your consent where the purpose of the processing is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

(v) Low-level concerns about adults

- We will process personal data about you, whether or not it constitutes special category data, in accordance with our policy on recording and sharing low-level concerns about adults. This will be processed for the same safeguarding reasons as set out above.
- Such records are subject to the rules on retention set out in the School's Low-Level Concerns Policy, and you have the same rights in respect of that information, as any other personal data that we hold on you. However, any requests to access, erase or amend personal data we hold in accordance with this policy may be subject to necessary exemptions, for example if we consider that compliance with the request might unreasonably impact the privacy rights of others or give rise to a risk of harm to children.

Sharing your information with others

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties. We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- other employees, agents and contractors (e.g., third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc.);
- DBS and other government authorities (e.g. HMRC, DfE, CAF/CASS, police, Home Office, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies e.g. the [Teaching Regulation Agency](#), the [Independent Schools Inspectorate](#), the [Charity Commission](#) etc.
- external auditors or inspectors;
- our advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants;
- third parties and their advisers in the unlikely event that those third parties are acquiring or considering acquiring all or part of our School,
- when the school is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or police.

We may also share information about you with other employers in the form of a reference, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations.

How long your information is kept

Please refer to the schools data retention policy

Your rights

- Rights of access, etc.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to Stephen Robinson, dataprotection@tringpark.com

The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information unless the request is particularly complex in nature).

The School will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals, or information which is subject to legal privilege (for example legal advice given to or sought by the School, or documents prepared in connection with a legal action).

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

- Consent

Where the School is relying on consent as a means to process personal data, any person may withdraw this consent at any time. Examples where we do rely on consent are: certain types of uses of images, certain types of fundraising activity. Please be aware however that the School may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment contract, contract for services, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates.

You are required to respect the personal data and privacy of others, and to comply with the School's Online safety IT and acceptable use policy and the School rules.

Data Accuracy and Security

The School will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify info@tringpark.com of any changes to information held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the school may need to process your data, or who you may contact if you disagree.

The School will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to School systems. All You and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

Responsibility for Data Protection

The School has appointed Stephen Robinson Business Director as our Data Protection Lead, who will deal with all your requests and enquiries concerning the School's uses of your personal data (see section on Your Rights above) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. Stephen Robinson can be contacted via email at dataprotection@tringpark.com.

This notice

The school will update this You Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

Contact and complaints

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should notify Stephen Robinson. If you are not satisfied with how we are processing your personal data, or how we deal with your complaint, you can make a complaint to the Information Commissioner: www.ico.org.uk. The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral.