



Privacy Notice for Staff (CC)

Where the document refers to College it is deemed that the College includes The Prep.

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This privacy notice is under review following the recently passed UK Data Protection Act (2018), in addition to the General Data Protection Regulation.

WHO THIS DOCUMENT APPLIES TO

Cheltenham College Preparatory School and Cheltenham College, including Kingfishers (hereafter referred to as College) are established day and boarding co-education HMC schools. Both are accountable to Cheltenham College President and Council, which is registered as the Data Controller with the Information Commissioners Office.

This privacy notice is intended to provide information about how College will use (or "process") personal data about individuals including: academic and other staff, contractors, itinerant teachers, casual workers, temps and volunteers who may be employed or engaged by College to work for it in any capacity, as well as prospective applicants for roles. It also applies to the President of the Council and Council members, and residents of College accommodation (including those who are not employed by College).

All are encouraged to read this Privacy Notice, which is provided in accordance with the rights of individuals under Data Protection legislation to understand how their data is used.

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

- Any contract between the College and its staff, such as the terms and conditions of employment, and any applicable staff handbook;
- Photography and Film Policy;
- CCTV Policy;
- Child Protection and Safeguarding Policy;
- Record Keeping Policy (Pastoral)
- Special Educational Needs Policy;
- Health & Safety Policy;
- Staff ICT Acceptable Use Policy;
- Data Protection Policy;
- Disciplinary Procedure; and
- Grievance Procedure;

Please note that your contract with the College, including any document or policy forming a part of your contractual obligations to the College, may in particular be relevant to and supplement the information in this Staff Privacy Notice, to the extent that it will contain details of obligations or rights of the College under contract with you which may require the use of your personal data. However, this Staff Privacy Notice is the primary document applicable to the use of your personal data by the College.



This Staff Privacy Notice also applies alongside any other information the College may provide about particular uses of personal data, for example when collecting data via an online or paper form.

TYPES OF PERSONAL DATA PROCESSED

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:
 - 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;
 - lifestyle information and social circumstances;
 - your interests and extra-curricular activities;
- 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);
 - 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 College;
 - details of your professional activities and interests;
 - car details (for those who use College car-parking facilities);
 - your involvement with and membership of sector bodies and professional associations;
 - information about your employment and professional life after leaving the College, where relevant (for example, if you become a member of the Cheltonian Society);
 - and any other information relevant to your employment or other engagement to work for the College.



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Where this is necessary for your employment or other engagement to work for us, 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);
- biometric information, for example if necessary for College security systems;
- 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 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 College.

WHY COLLEGE NEEDS TO PROCESS PERSONAL DATA

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

(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;
- providing written references to a third party (such as prospective future employers, and mortgage or lettings companies);



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- once you are employed or engaged by us in any capacity, for the performance of the contract of employment (or other agreement) 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 College to prospective parents and others, including by publishing the work product(s) you create while employed by or otherwise engaged to work for College;
- 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 staff feedback or complaints and incident reporting; and
- for any other reason or purpose set out in your employment or other contract with 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, most obviously before you have made a formal application to work for us);
- for security purposes, including by operating security cameras in various locations on College's premises;
- to enable relevant authorities to monitor College's performance and to intervene or assist with incidents as appropriate;
- to provide education services to pupils;
- to safeguard pupils' welfare and provide appropriate pastoral care;
- to carry out or cooperate with any College 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 staff;
- making travel arrangements on your behalf, where required;
- contacting you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work, etc.;
- publishing your image and likeness in connection with your employment or engagement with us, and;



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- to monitor (as appropriate) use of College's ICT and communications systems in accordance with the relevant College policies.

(iii) LEGAL OBLIGATIONS

We also process your personal data for our compliance with our legal obligations, notably those in connection with employment, [charity / company law], 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, and;
- 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, 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 and our obligations to the Independent School Standard Regulations;
- 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 (prior to working at College or residing within College accommodation), or where



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it is necessary to record or report an allegation (including to police, national or other authorities, with or without reference to you);

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

- you have given us your explicit consent to do so, in 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 (including in the event that College Lockdown Policy is implemented), 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 defence of legal claims, such as where any person has brought a claim or serious complaint against us or you.

HOW COLLEGE COLLECTS DATA

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

- from the information you provide to us before making a job application, 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 and covering letters, etc.,
- prior to your residence within College accommodation; 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.

More generally, during the course of your employment with us, as a member of staff, we will collect data from or about you, including:

- when you provide or update your contact details;
- when you or another member of staff completes paperwork regarding your performance (such as during an appraisal);
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on College systems, and;
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.



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WHO HAS ACCESS TO PERSONAL DATA AND WHO COLLEGE SHARES IT WITH

Personal data will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Data may be shared beyond the European Economic Area, for example, where College has to communicate with an individual (such as a job applicant) who is based overseas.

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, ICT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- DBS and other relevant authorities and agencies such as the Department for Education, NCTL, the ICO, Charity Commission and the local authority;
- external auditors or inspectors (such as the Independent Schools Inspectorate);
- 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 College, or we are reconstituting;
- when College 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.

Particularly strict rules of access apply in the context of:

- medical records (held and accessed only by College doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent); and
- disciplinary, claimant or safeguarding files.

Staff are reminded that College is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#)) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes on personnel or



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safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view College's Child Protection and Safeguarding Policy.

HOW LONG WE KEEP PERSONAL DATA

College will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from College.

However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. Moreover, College may retain some personal data relating to members of staff for archiving purposes (including historical research) in order to preserve and commemorate College's community and heritage. Records held for archive purposes are held subject to strict closure periods as required by Data Protection Law.

If you have any specific queries about how this policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Data Protection Lead. However, please bear in mind that College may have lawful and necessary reasons to hold on to some data.

KEEPING IN TOUCH AND SUPPORTING COLLEGE

The Cheltonian Society may request the consent of parents, alumni and other members of College's community to use their contact details to keep them updated about College activities, or alumni and parent events of interest, including sending updates and newsletters by email and by post.

College may also contact individuals who consent to promote and raise funds for College and, where appropriate, other worthy causes actively supported by current pupils.

College may collect information from publicly available sources about parents' and former pupils' occupations and activities, in order to maximise College's fundraising potential and conduct donor due diligence. Individuals may be grouped with similar people who may be able to give at a level which is suitable to yourselves.

YOUR RIGHTS

Individuals have various rights under Data Protection Law to access and understand personal data about them held by College, and in some cases ask for



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it to be erased or amended or for College to stop processing it, but subject to certain exemptions and limitations.

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 the Data Protection Lead.

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

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. College is also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by College for the purposes of the education, training or employment of any individual.

CONSENT

Where College is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that College may 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 or parent contract, or because a purchase of goods, services or membership of an organisation such as the Cheltonian Society or Friends of the Prep has been requested).

WHOSE RIGHTS

The rights under Data Protection Law belong to the individual to whom the data relates. A third party may request personal data of an individual on their behalf, but only with their explicit consent or if another legal ground is permitted under Data Protection Law.

Staff are required to respect the personal data and privacy of others, and to comply with College's relevant policies, referred to within this Privacy Notice.



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However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, College may be under an obligation to maintain confidentiality unless, in College's opinion, there is a good reason to do otherwise; for example where College believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

DATA ACCURACY AND SECURITY

College 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 the HR Department of any significant changes to important information, such as contact details, held about them.

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

College 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 College systems. All staff and governors will be made aware of this privacy notice and their duties under Data Protection Law and receive relevant training.

THIS PRIVACY NOTICE

The College will update this 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.

QUERIES AND COMPLAINTS

If you have any queries regarding your contract, or if you wish to exercise any of your rights under applicable law, you may contact your line manager or refer the matter through the staff grievance procedure.

If you are not satisfied with how we are processing your personal data, or how we deal with your complaint, the Data Protection Lead can be contacted using the following contact details: dataprotection@cheltenhamcollege.org

Data Protection Lead (Records & Heritage Manager)
Cheltenham College
Bath Road



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Both you and the College can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the College before involving the regulator.

Review Date: September 2018