

Policy:	Workforce Privacy Notice
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This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all current and former employees, workers and contractors.

Who Collects this Information

The BRIT School is a "data controller" of personal data and gathers and uses certain information about you. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

How we use Employee Data

Depending on your employment status, we may collect, store and use the following categories of personal information about you:

The categories of school workforce information that we collect, hold, and share

Personal Data:

- **Personal information:** name, DfE number (teachers), address, telephone number(s), email address, addresses, date of birth, marital status, phone numbers and personal email addresses, bank details, qualifications, contractual information, salary information and national insurance number.
- **Emergency contact information** such as names, relationship, phone numbers and email addresses;
- **Pre-employment Information:** Interview notes, test results, references.
- **Information collected during the recruitment process** that we retain during your employment including references, **proof of right to work in the UK**, application form, CV, qualifications;
- **Employment contract information** such as start dates, hours worked, post, roles;
- **Education and training details;**
- **Details of salary and benefits** including payment details, bank details, payroll records, tax status information, national insurance number, pension and benefits information;
- **Details of any dependants;**
- **Your nationality and immigration status** and information from related documents, such as your passport or other identification and immigration information;
- **Information in your sickness and absence records** such as number of absences and reasons(including sensitive personal information regarding your physical and/or mental health);
- **Information on grievances** raised by or involving you;
- **Information on conduct and/or other disciplinary** issues involving you;
- **Details of your appraisals, performance reviews and capability issues;**
- **Details of your time and attendance** records;
- **Information about the use of our IT**, communications and other systems, and other monitoring information;
- **Details of your use of business-related social media**, such as LinkedIn; School Instagram Accounts;
- **Images of staff captured by the School's CCTV system;**
- **Your use of public social media** (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur); and
- **Details in references about you that we give to others;**
- **Recordings of staff from the School's video conferencing platforms;** Google Meet; Parents Evening System;

Sensitive Personal Data:

- **Characteristics:** ethnicity, nationality, date of birth, religious beliefs, sexual orientation, and political opinions.
- **Trade union membership.**
- **Medical Information:** Fit for role, sickness absence log, details of long-term illnesses requiring reasonable adjustments:
 - where you leave employment and under any share plan operated by a group company the reason for leaving is determined to be ill health, injury or disability, the records relating to that decision;
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; [and]
 - any health information in relation to a claim made under the permanent health insurance scheme; and
 - where you leave employment and the reason for leaving is related to your health, information about that condition needed for pensions and permanent health insurance purposes.
- **Disability:** assessment, reasonable adjustment provision, meeting notes.
- **Staff Conduct Information:** disciplinary/grievance/capability paperwork to date.
- **Criminal records information** as required by law to enable you to work with children;
- **Child Protection Information:** DBS record, reports, investigations, and outcomes of any child protection concerns

Data is collected from the employee when applying to, following role offers and starting work with The BRIT School.

CCTV Images

The BRIT School uses closed circuit television (CCTV) images to reduce crime and monitor the school buildings in order to provide a safe and secure environment for pupils, staff, and visitors, and to prevent the loss or damage to school property.

Please refer to our CCTV Policy for further information. This can be found at www.brit.croydon.sch.uk/policies

How We Collect this Information

We may collect this information from you in your application form, but we will also collect information in a number of different ways. This could be through the Home Office, our pension providers, medical and occupational health professionals we engage with, your trade union, the DBS, consultants and other professionals we may engage, e.g. to advise us generally and/or in relation to any grievance, conduct appraisal or performance review procedure, and even other employees. Information is also collected through CCTV, access control systems and any IT system the school has in place, such as email, communication systems, remote access systems, instant messaging and voicemail.

Why we collect and use this information

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

- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- When you have provided us with consent to process your personal data.

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

The situations in which we will process your personal information are listed below:

- To determine recruitment and selection decisions on prospective employees;
- In order to carry out effective performance of the employees contract of employment and to maintain employment records;
- To comply with regulatory requirements and good employment practice;
- To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements;
- Enable the development of a comprehensive picture of the workforce and how it is deployed and managed;
- To enable management and planning of the workforce, including accounting and auditing;
- Personnel management including retention, sickness and attendance;
- Performance reviews, managing performance and determining performance requirements;
- In order to manage internal policy and procedure;
- Human resources administration including pensions, payroll and benefits;
- To determine qualifications for a particular job or task, including decisions about promotions;
- Evidence for possible disciplinary or grievance processes;
- Complying with legal obligations;
- To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding;
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;
- Education, training and development activities;
- To monitor compliance with equal opportunities legislation;
- To answer questions from insurers in respect of any insurance policies which relate to you;
- Determinations about continued employment or engagement;
- Arrangements for the termination of the working relationship;
- Dealing with post-termination arrangements;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as "special category data") requires higher levels of protection and further justification for collecting, storing and using. We may process this data in the following circumstances:

In limited circumstances, with your explicit written consent:

- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your

consent.

- We will use this information in the following ways:
- Collecting information relating to leave of absence, which may include sickness absence or family related leave;
- To comply with employment and other laws;
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

The lawful basis on which we collect and use this information

All personal and sensitive data held by The BRIT School will be processed fairly, lawfully and in a transparent manner. We will only use the data for the purposes specified above, and for explicit and legitimate purposes.

The BRIT School will collect and hold personal and sensitive personal data for the following lawful basis:

- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- Work force census****
- Working time regulations 1998
- Tax & National Insurance
- Minimum Wage Act 1998
- Statutory sick pay
- HSE

Collecting School Workforce Information

Whilst the majority of School Workforce information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

Storing School Workforce Information

We hold school workforce data in secure digital and physical storage. We will retain records up to 6 months for applicants and 6 years for employees. For an exhaustive list of retention periods, please refer to The BRIT School Data Retention Schedule, which can be found on our website: www.brit.croydon.sch.uk/policies ***

System Used for Processing School Workforce Data

	PERSONAL DATA	SENSITIVE DATA
ISAMs (school management information system (MIS) Spreadsheet	✓	✓
CIPHR (school HR system)	✓	✓

Information Sharing

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. These include the following:

- Schools/organisations that the employees attend after leaving us;
- the Department for Education (DfE);
- Ofsted;
- Prospective Employers;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- LADO;
- Training providers;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority;
- Occupational Health;
- DBS;
- Recruitment and supply agencies

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK and the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Why we share Staff information

We do not share information about our school workforce with anyone without consent unless the law and our policies allow us to do so.

We share school workforce data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation and links to school funding/expenditure and the assessment of educational attainment.

We are required to share information about our workforce members with our local authority (LA) under section 5 of The Education (supply information about School Workforce) (England) Regulations 2007 and amendments.

We are required to share personal details of the school workforce with our payroll provider in order to ensure our workforce is paid correctly.

School workforce members are required to supply personal details to our DBS agency and Occupational Health provider for the purpose of safer recruitment and health and safety provisions.

Data Collection Requirements

The DfE collects and processes personal data relating to those employed by schools (including Multi-Academy trusts) and local authorities that work in state funded schools (including maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005.

To find out more about the data collection requirements placed ON US BY THE Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-andcensuses-for-schools>

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/dataprotection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupildatabase-requests-received>

To contact the Department for Education: <https://www.gov.uk/contact-dfe>

Retention Periods

Except as otherwise permitted or required by applicable law or regulation, the School only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once you are no longer a staff member at the School, we will retain and securely destroy your personal information in accordance with our data retention policy. This can be found on the Schools Website: <https://www.brit.croydon.sch.uk/dataprotectionpolicy>.

Security

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Details of these measures are available on the School's website under the Data Protection Policy: <https://www.brit.croydon.sch.uk/dataprotectionpolicy>

You can find further details of our security procedures within our Data Breach policy and our Information Security policy, which can be found on our School's Website: <https://www.brit.croydon.sch.uk/databreachpolicy>.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Human Resources (personnel@brit.croydon.sch.uk)

You also have the right to:

- Access your personal information (commonly known as a "subject access request"). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- Correction of the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected.
- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it.
- Restriction of processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Human Resources (personnel@brit.croydon.sch.uk). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

How to Raise a Concern

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with Human Resources (personnel@brit.croydon.sch.uk) in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. 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, by contacting the Data Protection Coordinator (dpo-brit@brit.croydon.sch.uk).

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we

make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Contact

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer

Judicium Consulting Limited 72 Cannon
Street
London EC4N 6AE

Tel: 020 326 9174

Email: dataservices@judicium.com

Human Resources

Head of People and Place

The BRIT School

60 The Crescent

Croydon

CR0 2HN Tel: 020 8665 8600

Email: people@brit.croydon.sch.uk