



**PRIVACY NOTICE – STAFF AND GOVERNORS**

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**Sections**

1. Who we are
2. What this Privacy Notice is for
3. Responsibility for data protection
4. Why the school needs to process personal data
5. Types of personal data processed by the school
6. How the school collects data
7. Who has access to personal data and who the school shares it with
8. How long does the school keep personal data
9. Keeping in touch and supporting the school
10. Your rights
11. Data accuracy and security
12. Policy updates
13. Queries and complaints

**1. Who we are**

We are Trent College Limited, a charitable company limited by shares and registered in England and Wales. Our charitable company consists of two schools, Trent College and The Elms, and includes Boarding provision and the EYFS setting (“**the school**”). Our company registration number is 00032983 and our registered office is at Trent College, Derby Road, Long Eaton, Nottingham, NG10 4AD. Our charity registration number is 527180.

Trent College Limited is the Data Controller for the purposes of the relevant data protection legislation<sup>1</sup> (“**Data Protection Law**”) and is registered with the Information Commissioner’s Office (“**ICO**”). Our ICO registration number is Z5676016.

**2. What this Privacy Notice is for**

This Privacy Notice is intended to provide information about how the school will use or process personal data about individuals who may be employed or engaged by the school to work for it in any capacity, as well as prospective applicants for roles, including academic and other staff, contractors, itinerant teachers, casual workers, temps, volunteers and governors (“**Staff**”).

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<sup>1</sup> Data Protection Act 2018 (as amended or superseded), the General Data Protection Regulation (EU 2016/679) and other related legislation.

Collectively, the school refers to Pupils, Parents, Alumni, Staff and Governors as the school community.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff are encouraged to read this Privacy Notice and understand the school's obligations to its entire community.

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

This Privacy Notice also applies in addition to the school's other relevant terms and conditions and policies, including (but not limited to):

- any contract between the school and its staff, such as the terms and conditions of employment, and any applicable staff handbook;
- the school's Photographs & Images of Children Policy;
- the school's CCTV Policy;
- the school's Retention of Records Policy;
- the school's Child Protection and Safeguarding Policy, Anti-Bullying Policy and Health & Safety Policy, including as to how concerns or incidents are reported or recorded (both by and about staff); and
- the school's IT policies, including its Data Protection Policy, Data Security Policy, E-Safety Policy, Mobile Phone & Personal Devices Policy, and Acceptable Use of Technology Policy – Staff.

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

This Privacy Notice is not aimed at Pupils, Parents, Alumni or other members of the public, nor does it inform Staff how to handle the personal data of the same. Further information about how personal data for Pupils, Parents, Alumni or other members of the public will be used by the school, and how Staff handle this data, can be found in the school's Privacy Notice – Pupils, Parents and Alumni, and in the school's Data Protection Policy respectively.

Please note that any references to "employment", "staff" etc. in this Privacy Notice are not intended to imply or confer any employment rights on non-employees.

### **3. Responsibility for data protection**

The school has appointed the Bursar as Privacy Compliance Lead who can deal with your requests and enquiries concerning the school's uses of your personal data (see section 10 on Your Rights below) and will endeavour to ensure that all personal data is processed in compliance with this Privacy Notice and Data Protection Law.

Should an individual wish to contact the Privacy Compliance Lead, please use the contact details provided in section 13 below.

### **4. Why the school needs to process personal data**

In order to carry out its ordinary duties to Staff and the wider school community, the school needs to process a wide range of personal data about individuals (including Staff) as part of its daily operation.

The school relies on different legal bases for processing the personal data of Staff.

#### **4.1 Contract**

The school will 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 the school. In this respect, the school will use your personal data for the following:

- to administer job applications and, where relevant, offer you a role with the school;
- to carry out due diligence checks on you, whether during the application process for a role with the school or during your engagement with the school, including by checking references in relation to your education and your employment history;
- for the performance of the contract of employment (or other agreement) between you and the school, once you are employed or engaged by the school in any capacity;
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with the school;
- to monitor your attendance and your performance in your work, including in performance appraisals;
- to promote 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 Staff feedback or complaints and incident reporting; and
- for any other reason or purpose set out in your employment or other contract with the school.

#### **4.2 Legitimate interests**

The school will process your personal data because it is necessary for the school's (or sometimes a third party's) legitimate interests. This includes 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, the school will use your personal data for the following:

- to provide you with information about the school and what it is like to work for the school (where you have asked for this, most obviously before you have made a formal application to work for the school);
- for security purposes, including CCTV, in accordance with the school's CCTV Policy;
- for regulatory record keeping/compliance purposes in respect of immigration requirements as an employer;
- 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);
- 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 Staff;
- to make travel arrangements on your behalf, where required;
- to contact you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work, etc.;
- to publish your image and likeness in connection with your employment or engagement with the school; and
- to monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's Acceptable Use of Technology Policy – Staff and government guidance such as Keeping Children Safe in Education.

### **4.3 Legal obligation**

The school will process your personal data where it is necessary for the school to comply with its legal obligations, notably those in connection with employment, charity / company law, tax law and accounting, and child welfare. In this respect, the school will use your personal data for the following:

- to meet the school's 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.

### **4.4 Consent**

The school will process your personal data where you have given clear consent for a specific purpose. In this respect, the school will use your personal data for the following:

- for the processing of certain special categories of personal data (see section 4.5 below).

### **4.5 Special category data & criminal offence data**

The school may on occasion need to process special categories of personal data (such as data concerning health, race or ethnic origin, political or religious beliefs, biometrics, sexual orientation or union membership) or criminal convictions and allegations for the reasons set out below.

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

In particular, the school may 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. This may include COVID-19 (or similar) testing: including managing on site testing and/or processing the results of tests taken by staff and sharing this information with relevant health authorities;
- 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 the school's obligations as an employer;
- biometric data in order to run any of the school systems which rely on this for identification;
- categories of your personal data which are relevant to investigating complaints made by you or others, for example concerning discrimination, bullying or harassment; and
- data about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the Disclosure and Barring Service ("**DBS**"), or where it is necessary to record or report an allegation (including to police or other authorities, with or without reference to you);

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

- you have given the school 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 the school will 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) to comply with public health requirements (eg in respect of COVID-19 or in similar circumstances); 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 you or the school.

#### **4.6 Low-level concerns about adults**

The school will process personal data about you, whether or not it constitutes special category data, in accordance with the school's policy on recording and sharing low-level concerns about adults. This will be processed for the same safeguarding reasons as set out above.

### **5. Types of personal data processed by the school**

The school 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 the school for use by the school in accordance with this Privacy Notice; and
  - records of communications and interactions the school has had with you;
- biographical, educational and social information, including:
  - name, title, gender, nationality and date of birth;
  - your image and likeness, including as captured in photographs taken for work purposes;
  - your image or likeness including as captured in the case of livestreaming or recording of school activities and events, such as but not limited to sports matches, school plays or school concerts. The school may also record these livestreams or record school activities and events and upload these onto platforms such as YouTube, the school's Facebook or X pages etc.
  - details of your education and references from your institutions of study;
  - lifestyle information and social circumstances; and
  - 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);
  - Gift Aid declaration information, where relevant (for example, where the school helps you to administer donations to charity from your pre-taxed earnings); and
  - information related to pensions, national insurance, or employee benefit schemes;
- work related information, including:
  - details of your work history and references from 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; and

- information about your employment and professional life after leaving the school, where relevant (for example, where you have asked the school to keep in touch with you);
- nationality and other immigration status information (eg right to work), including copies of passport information;
- and any other information relevant to your employment or other engagement to work for the school.

The school may also collect special categories of data, and information about criminal convictions and offences, where this is necessary for your employment or other engagement to work for the school, 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 where necessary for staff identification;
- 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 the school.

## **6. How the school collects data**

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

- from the information you provide to the school before making a job application, for example when you come for an interview;
- when you submit a formal application to work for the school, and provide your personal data in application forms and covering letters, etc.; and
- from third parties, for example the DBS and referees (including your previous or current employers or school) or, (if you are a contractor or substitute) your own employer or agent, in order to verify details about you and/or your application to work for the school.

More generally, during the course of your employment with the school, as a member of Staff, the school 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 appraisals;
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on school systems; and
- in various other ways as you interact with the school during your time as a member of Staff, and afterwards, where relevant, for the various purposes set out above.

## **7. Who has access to personal data and who the school shares it with**

For the purposes referred to in this Privacy Notice and relying on the legal bases for processing as set out above, the school may share your personal data with certain third parties. The school 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 (eg third parties processing data on the school's behalf as part of administering payroll services, the provision of benefits including pensions, IT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on the school's behalf);

- DBS and other relevant authorities and agencies such as the Department for Education, the Teaching Regulation Agency, the ICO, Charity Commission and the local authority;
- external auditors or inspectors;
- the school's advisers where it is necessary for the school 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 the school, or the school is reconstituting or setting up some form of joint working or partnership arrangement in the unlikely event that those third parties are acquiring or considering acquiring all or part of the school, or the school is reconstituting or setting up some form of joint working or partnership arrangement in the UK or abroad; and
- 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.

The school may also share information about you with other employers in the form of a reference, where the school considers it appropriate, or if the school is required to do so in compliance with its legal obligations.

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (on a 'need to know' basis).

Finally, in accordance with Data Protection Law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to assurances that personal data will be kept securely and only in accordance with the school's specific directions.

## **8. How long does the school keep personal data**

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason in accordance with the school's Retention of Records Policy. For example, employee records, subject to any other notices that the school has provided, may be retained for a period of up to 7 years after the employee's contract of employment (or equivalent agreement) has expired or been terminated. However, some information may be retained for longer than this, for example incident reports and safeguarding files, in accordance with specific legal requirements<sup>2</sup>.

If you have any specific queries about how the school's Retention of Records 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 Privacy Compliance Lead using the contact details provided in section 13 below. However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, and even where you have requested that the school no longer keep in touch with you, the school will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

## **9. Keeping in touch and supporting the school**

The school and/or any relevant other organisation may use the contact details of Staff and other members of the school community to keep them updated about the school and Alumni news, events, fundraising, careers and networking opportunities. The school may also:

- share personal data about Staff, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the Parents Association and OT Society;

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<sup>2</sup> In the light of the Independent Inquiry into Child Sexual Abuse ("IICSA"), former Chair Dame Lowell Goddard's forceful statements, and various high-profile safeguarding cases, there is a strong recommendation for long-term, lifetime or even indefinite keeping of full Pupil records related to incident reporting, and consideration that this also be extended to all Pupil and Staff files on a 'safety first' basis. As such, the school will not be deleting historic Pupil or Staff files, or any material potentially relevant for future cases, even if it has been held for long periods already, until such a point as further guidance has been provided.

- contact Staff (including via the organisations above) by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes; and
- collect information from publicly available sources about the occupations and activities of Staff, in order to maximise the school's fundraising potential (see also the school's Fundraising & Development Policy).

Should Staff wish to limit or object to any such use, or would like further information about them, please contact the Privacy Compliance Lead in writing using the contact details provided in section 13 below. Individuals always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely to retain some of your details (not least to ensure that no further communications for this purpose are sent to that particular address, email or telephone number).

## **10. Your rights**

### **10.1. Right of access to personal data**

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the school, and in some cases ask for it to be erased or amended or have it transferred to others, or for the school 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 Privacy Compliance Lead.

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 within one month in the case of requests for access to information, but actually fulfilling more complex requests may take 1-2 months longer).

The school will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider, or refuse the request (but only where Data Protection Law allows it).

### **10.2 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).

The school is also not required to share any confidential reference given by the school itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, the school 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.

### **10.3 Right to withdraw 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 the school does rely on consent are detailed in section 4.4 Consent above. 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 (for example an employee's contract of employment, or because a purchase of goods, services or membership of an organisation such as the Parents' Association or OT Society has been requested).

#### **10.4 Whose rights?**

The rights under Data Protection Law belong to the individual to whom the data relates. Staff are required to respect the personal data and privacy of others, and to comply with the school's E-Safety Policy, Mobile Phone & Personal Devices Policy, Photographs & Images of Children Policy and Acceptable Use of Technology Policy - Staff.

### **11. 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 should please notify the school 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 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, of 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. Staff will be made aware of these policies and their duties under Data Protection Law and receive relevant training.

### **12. Privacy Notice updates**

The school 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.

### **13. Queries and complaints**

If you have any queries about this Privacy Notice, or how the school processes your personal data, or if you wish to exercise any of your rights under applicable law, you may contact your line manager or the Privacy Compliance Lead (via email: [bursar@trentcollege.net](mailto:bursar@trentcollege.net); or via telephone: 0115 849 4949) or you can refer the matter through the Staff Grievance Procedure. If you are not satisfied with how the school is processing your personal data, or how the school deals with your query or complaint, you can make a referral to or lodge a complaint with the ICO, although the ICO recommends that you seek to resolve any issues with the school initially before involving the regulator.