

PRIVACY NOTICE FOR STAFF

In the course of your work undertaken for the School, we will collect, use and hold (“process”) personal information relating to you as a member of our staff or wider school team, regardless of your employment status. 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.

1 Who this document applies to

This Privacy Notice applies to current, former and prospective members of staff. It applies to academic and other staff, contractors, visiting music teachers and other peripatetic workers, casual workers, temps, 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.

Please note that any references to ‘employment’, ‘staff’ etc. in this Notice are not intended to imply or confer any employment rights on you if you are a contractor, non-employed worker, or job applicant, even if the Notice is relevant to how we process your personal information.

Not every processing activity or lawful basis described in this Notice will apply to every category of individual. The processing that applies to you will depend on your role, status and relationship with the School.

This Notice is not aimed at pupils, or parents of pupils (whether current, past or prospective) or other members of the public. This information may be found in the School’s Privacy Notice for Students, which provides further details about how such personal information will be used by the School. Nor does it inform staff how to handle the personal information of the same, which is covered by the School’s *Data Protection Policy*.

2 About this document

This Privacy Notice for Staff explains how the School collects, uses, shares (or ‘processes’) personal information of staff, and your rights in relation to the personal information we hold. The School is a ‘data controller’ for the personal information covered by this Notice. This means that we are responsible for deciding how and why your personal information is processed.

Data Controller

New Hall School

Address: The Avenue, Boreham, Chelmsford, Essex CM3 3HS

Telephone number: 01245 467588

Email: admin@newhallschool.co.uk

Website: <https://newhallschool.co.uk/>

Data Protection Lead

Mr Vincent Holden

Vice Principal

Email: v.holden@newhallschool.co.uk

This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies that may (depending on your role and status) apply to you, including:

- any contract between the School and its staff, such as the Terms & Conditions of employment, and any applicable staff handbook
- the School's Surveillance Camera Systems Procedure policy
- the School's Data and Records Retention Policy
- the School's disciplinary, safeguarding, pastoral, anti-bullying, or health and safety policies, including as to how concerns, low-level concerns or incidents are reported or recorded (both by and about staff)
- the School's Data Protection Policy
- the School's IT policies, including its Acceptable Use of Technology Procedure

Please note that your contract with or engagement by 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 for Staff, 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 information. However, this Privacy Notice for Staff is the primary document in terms of how we notify you about the use of your personal information by the School.

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

Where we intend to use your personal information for a new purpose, we will consider whether that use is compatible with the purpose for which the information was originally collected and whether additional transparency or other safeguards are required.

3 How we collect your information
--

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

- when you submit a formal application to work for us, and provide your personal information in application forms and covering letters, etc.
- when you attend an interview, we will make a written record of responses to questions
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), or (if you are a contractor or a substitute) your own employer or agent, in order to verify details about you and/or your application to work for us
- from information you provide to us directly, including when you provide or update your contact details
- through your interactions with the School and its systems
- through records created during your employment or other engagement, including reports, notes, emails and other correspondence
- through performance appraisals, training, meetings, disciplinary or grievance procedures and other employment processes
- through CCTV, access-control systems, swipe-card systems and other security systems where these are used by the School
- through the use of the School's information and communications systems, in accordance with the School's relevant IT policies

- from publicly available sources, where this is relevant and proportionate to the purpose for which the information is being obtained.

Where we obtain personal information about you from another person or organisation, we will provide you with the relevant privacy information required by data protection law, unless an applicable exemption applies.

We will only seek information from third parties where this is relevant and proportionate to the purpose for which it is required.

4 The types of information we collect

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

The information we collect will depend on your role, status and the purposes for which we need it. We will seek to collect only information that is adequate, relevant and limited to what is necessary for those purposes.

Contact and communications information, including:

- your contact details, including email address(es), telephone numbers and postal address(es), where required for employment or other engagement
- emergency contact details for your family members and 'next of kin', where relevant. If you provide information about another person, please ensure that you have informed them that you have provided their information to the School
- records of communications and interactions we have had with you
- information contained in correspondence, reports, notes and other records relating to your work or engagement with the School

Biographical, educational and social information, including:

- your name, title, gender, nationality and date of birth, where required for employment, legal, safeguarding or administrative purposes
- marital status and dependents, where relevant to employment, benefits, payroll or other legitimate purposes
- your image and likeness, including as captured in photographs taken for work, security, communications or publicity purposes
- copies of right to work documentation and ID, such as a passport or driving licence
- details of your education and references from your institutions of study
- information relevant to workplace adjustments, safeguarding, welfare or other employment-related purposes
- your interests and extra-curricular activities, where relevant to your role or activities with the School
- information in the public domain, including information you may have posted to social media, where relevant and proportionate to your role and the particular purpose for which it is being considered

Where the School undertakes social media or other publicly available information checks, these will be carried out only where there is a lawful and proportionate reason to do so and in accordance with the School's recruitment and other relevant procedures.

Financial information, including:

- payroll records
- your bank account number(s), name(s) and sort code(s), used for paying your salary or invoices and processing other payments
- salary and annual leave entitlement
- your tax status, including residence status
- results of HMRC employment status checks, details of your interest in and connection with any intermediary through which your services are supplied
- Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-tax earnings)
- information relating to pensions, National Insurance or employee benefit schemes; and
- compensation history

Work-related information, including:

- details of your work history and references from your previous employer(s)
- employment records including job titles, working hours, holiday and training records
- start date and, if different, the date of continuous employment
- performance information
- disciplinary and grievance information
- CCTV footage and other information obtained through electronic means, such as access-control or swipe-card records
- information about your use of our information and communications systems
- leaving date and your reason for leaving
- your personal information 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

Special categories of personal information

Where necessary and lawful for your employment or other engagement with the School, we may process special categories of personal information, 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 absence, dietary needs, occupational health matters or reasonable adjustments to your working conditions or environment
- biometric information where it is processed for the purpose of uniquely identifying you, for example where necessary for an applicable security or access-control system
- information concerning your sexual orientation or other relevant special-category information, for example where necessary to investigate complaints concerning discrimination, bullying or harassment
- other special category information where this is necessary for a specific lawful purpose.

Where we process special-category personal information, we will identify both a lawful basis under Article 6 UK GDPR and an applicable condition under Article 9 UK GDPR. Where required, we will also comply with the relevant requirements of the Data Protection Act 2018, including Schedule 1.

Where we process criminal conviction or offence information, we will do so only where authorised by law and where the relevant requirements of Article 10 UK GDPR and the Data Protection Act 2018 are met.

Where required, the School will maintain an Appropriate Policy Document covering relevant processing of special category and criminal-offence information.

5 What we use your information for and the lawful grounds we rely on

Some of the purposes for which we use your personal information will fall under several different lawful grounds. We have set out below the predominant grounds and examples of the purposes for which we may process your information.

The lawful basis relied upon will depend on the particular processing activity and your relationship with the School. We will not rely on a lawful basis simply because it appears in this Notice; we will identify and document the lawful basis that actually applies to the processing.

5.1 Entering into, or fulfilling, our contract with you

We process your personal information where this 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, depending on your role and status, we are likely to use your personal information for the following purposes:

- 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 and obtaining any required self-declarations
- 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
- monitoring your use of our IT systems to ensure compliance with our policies (including the School's IT Acceptable Use Policy)
- to assess and make decisions about your fitness to work, training and development requirements
- 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
- for any other reason or purpose set out in your employment or other contract with us.

Where information is not required to enter into or perform your contract, we will not describe that information as a contractual requirement merely because we collect it.

5.2 Legitimate interests

We may process your personal information because it is necessary for our legitimate interests, or sometimes the legitimate interests of a third party, provided that those interests are not overridden by your interests or fundamental rights and freedoms.

Our legitimate interests include our interests in running the School in a professional, sustainable manner and in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements.

In this respect, depending on your role and status, we are likely to use your personal data for the following:

- providing you with information about us and what it is like to work for us, where appropriate
- security purposes, including by operating security cameras and access-control systems in various locations on the School's premises
- enabling relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate
- providing education services to pupils
- safeguarding pupils' welfare and providing appropriate pastoral care
- making decisions about salary reviews and compensation
- assessing qualifications for a particular job or task, including decisions about promotions
- making decisions about your continued employment or engagement
- making arrangements for the termination of our working relationship
- dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work
- carrying out or cooperating with School or external complaints, disciplinary or investigatory processes
- management planning and forecasting, research and statistical analysis
- 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 or to confirm your absence from work, where appropriate
- publishing your image and likeness in connection with your employment or engagement with us where this is lawful and appropriate
- monitoring, as appropriate, use of the School's IT and communications systems in accordance with the School's policies
- promoting the School to prospective parents and others, including by publishing work product(s) you create while employed by or otherwise engaged to work for the School
- disciplinary purposes, including conducting investigations where required

- 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
- internal record keeping, including the management of staff feedback or complaints and incident reporting

Where we rely on legitimate interests, we will consider whether the processing is necessary and whether your interests, rights and freedoms override those interests.

The Data (Use and Access) Act 2025 also introduced a separate lawful basis known as ‘recognised legitimate interests’. This is available only for specified purposes set out in the UK GDPR. Where the School relies on recognised legitimate interests, we will ensure that the relevant statutory conditions are met.

Recognised legitimate interests are different from the ordinary legitimate interests lawful basis described above. We will not use recognised legitimate interests unless the particular processing falls within one of the purposes permitted by law.

5.3 Legal obligations

We also process your personal information where this is necessary for compliance with our legal obligations, notably those in connection with employment, charity/company law, tax law, accounting, safeguarding and child welfare.

In this respect, depending on your role and status, we are likely to use your personal data:

- In relation to child welfare (including following the requirements and recommendations of KCSIE), social protection, diversity, equality, and gender pay gap monitoring, employment, immigration / visa sponsorship compliance 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
- compliance with our data protection obligations, including responding to subject access requests from third parties. Please note in this regard that there is a statutory assumption of reasonableness in disclosing staff data under a subject access request, where mixed with that of the requester. However, there may be situations where the School redacts staff data, for example if it does not obviously relate to their professional role, or if the request is not made by (or on behalf of) a pupil in that person’s care
- 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

5.4 Special categories of information

Depending on your role and status, 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 (treated for these purposes as special category data) for the reasons and purposes set out below.

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 and sexual orientation in order to monitor our compliance with equal opportunities legislation
- recording your trade union membership, in connection with your rights as an employee, agent or contractor and our obligations as an employer or engager of your services
- to investigate complaints made by you or others, for example concerning discrimination, bullying or harassment, or as part of a complaint made against the School
- data about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the DBS, or via a self-declaration, or where a matter of public record (online or by any media), 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, including:

- you have given us your explicit consent to do so, but only in circumstances where seeking 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 the purposes of carrying out legal obligations and exercising legal rights (both yours and ours) in connection with your employment or engagement by us
- it is necessary in connection with some function in the substantial public interest, including:
 1. the safeguarding of children or vulnerable people
 2. to prevent or detect unlawful acts
 3. as part of a function designed to protect the public, pupils or parents from seriously improper conduct, malpractice, incompetence or unfitness in a role, or failures in services by the School (or to establish the truth of any such allegations)
 4. to cooperate with a relevant authority, professional or regulatory body (such as the ISI, DfE, LADO or TRA) in such matters
- to comply with public health requirements
- 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.

Where we rely on a substantial public interest condition under Schedule 1 of the Data Protection Act 2018, we will comply with any additional requirements that apply, including maintaining an Appropriate Policy Document where required.

5.5 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 and/or employment law 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.

As a general rule, records of low-level concerns will be kept at least until the termination of your employment or for up to 7 years following but may need to be retained longer: e.g. where relevant, individually or cumulatively, to any employment, disciplinary or safeguarding matter. Low-level concerns will not be included in references unless they relate to issues which would normally be included in references, for example, misconduct or poor performance. A low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) will not be referred to in a reference.

5.6 Criminal convictions and offences

We may process information about criminal convictions and offences where this is necessary and lawful, for example:

- when carrying out DBS checks for safeguarding purposes
- when conducting appropriate due diligence
- where necessary to comply with a legal or regulatory obligation
- where necessary for the prevention, detection or investigation of crime
- where necessary in connection with safeguarding
- where necessary to establish, exercise or defend legal claims.

Criminal offence data is subject to additional legal safeguards. We will process such information only where the requirements of Article 10 UK GDPR and the applicable provisions of the Data Protection Act 2018 are satisfied.

Where required, the School will maintain an Appropriate Policy Document covering relevant criminal offence data processing.

5.7 Automated decision-making and profiling

We do not currently make decisions about staff or applicants based solely on automated processing where those decisions have legal or similarly significant effects.

If this changes, we will provide appropriate information about the processing and ensure that any automated decision-making is carried out in accordance with the requirements and safeguards of applicable data protection law.

Where automated processing is used to assist rather than make a decision, the School will ensure that its use is appropriate, lawful and proportionate.

Where special category personal information is used in connection with solely automated decision making, we will apply the additional safeguards required by law.

6 Sharing your information with others

For the purposes referred to in this Privacy Notice and relying on the bases for processing set out above, we may share your personal information with certain third parties.

We may disclose limited personal information, including in limited cases special category or criminal offence information, to recipients including:

- agents and contractors, for example third parties processing information on our behalf as part of administering payroll services, benefits, pensions, IT and other services
- providers of recruitment, HR, payroll, occupational health, pension and other employment-related services
- the company or organisation through whom we carry out checks with the Disclosure and Barring Service
- other relevant authorities and agencies such as the Department for Education, Information Commissioner's Office, Charity Commission and the local authority where they may lawfully require or request information
- external auditors or inspectors
- our advisers, including insurers, lawyers, accountants or other external consultants, where it is necessary for us to obtain their advice or assistance
- third parties and their advisers if those third parties are acquiring or considering acquiring all or part of the School/business
- third parties where we are reconstituting or setting up some form of joint working or partnership arrangement
- relevant technology and cloud service providers
- courts, tribunals, regulators, law enforcement agencies and other competent authorities where we are legally required or permitted to provide information
- HM Revenue and Customs, pension providers and other bodies where disclosure is necessary to comply with legal or contractual obligations

Where a third-party processes personal information on our behalf, we will ensure that the appropriate contractual and data protection requirements are in place.

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

References given or received in confidence may not be accessible under your UK GDPR rights. We will not share more personal information than is reasonably necessary for the relevant purpose.

7 International transfers of personal information

We may use service providers or other organisations which process personal information outside the United Kingdom.

Where a transfer of personal information outside the UK is a restricted transfer under applicable data protection law, we will ensure that the transfer complies with the applicable UK requirements.

Depending on the circumstances, this may include reliance on:

- UK adequacy regulations;
- appropriate safeguards, such as the UK International Data Transfer Agreement or UK Addendum, where applicable; or
- an applicable exception permitted by law.

Where appropriate, we will carry out the relevant assessment of the transfer and put in place any additional safeguards required by law.

Details of relevant countries, international recipients and safeguards will be made available where required by applicable data protection law.

We will not rely on your consent as a general substitute for the legal safeguards required for a restricted international transfer.

8 How long your information is kept
--

We retain personal information only for as long as necessary for the purposes for which it is processed, including to meet legal, regulatory, accounting, safeguarding and reporting requirements and to establish, exercise or defend legal claims.

Different categories of personal information may be retained for different periods. We therefore do not apply a single retention period to every item of personal information we hold about you.

Our retention periods are set out in the School's Data and Records Retention Policy and relevant retention schedules.

These may include different periods for:

- unsuccessful job applications
- personnel and employment records
- payroll and tax information
- pension records
- DBS and other vetting information
- sickness and occupational health records
- disciplinary and grievance records
- safeguarding information
- CCTV and access control information
- IT and communications records
- photographs and publicity materials
- information required for legal claims or investigations

Personal information relating to unsuccessful job applicants will normally be deleted within one year of the end of the application process, unless we have notified you that we intend to keep it for longer and there is a lawful basis for doing so.

Some information may be retained for longer where this is necessary, for example because of safeguarding requirements, legal claims, statutory obligations, regulatory requirements or other specific legal grounds.

We will periodically review retained personal information and securely delete or dispose of information when it is no longer required.

9 Your rights

Depending on the circumstances and the lawful basis on which we process your personal information, you have rights under data protection law including:

- the right to obtain access to, and copies of, the personal information that we hold about you
- the right to require us to correct personal information that is inaccurate or incomplete
- the right to require us to erase your personal information in certain circumstances
- the right to request that we restrict our processing in certain circumstances
- the right to withdraw consent where we rely on your consent as our lawful basis
- the right to request that we provide you or a third party that you identify with a copy of your personal information in a commonly used and machine-readable format, where the right to data portability applies
- the right to object to certain processing, including where we rely on legitimate interests or where other statutory conditions for objection apply
- rights in relation to automated decision-making and profiling where applicable

These rights are not absolute and exceptions or exemptions may apply.

If you make a request to exercise one of your rights, we will assess the request and respond in accordance with applicable statutory requirements.

Where you make a subject access request, we will undertake reasonable and proportionate searches for the personal information requested.

We may need to ask for information to confirm your identity where this is reasonably necessary to protect personal information from unauthorised disclosure.

Should you wish to exercise any of your rights in relation to your personal information as set out above, it would be helpful if such requests were made in writing to the School's Data Protection Lead (Mr Vince Holden, Vice Principal) at:

Email: v.holden@newhallschool.co.uk.

Address: The Avenue, Boreham, Chelmsford, Essex CM3 3HS

However, any such requests may also be made verbally.

You do not have to use a particular form or wording to exercise your rights.

10 This notice

The School will update this Privacy Notice for Staff from time to time to ensure that it remains accurate and reflects changes to our processing activities, technology, legal requirements and regulatory guidance.

We will review this Notice at least annually and sooner where there are significant changes to our processing or applicable data protection law.

Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

The current version of this Notice will be made available to staff through the Staff Employment Manual and on the Staff Hub

11 Contact and complaints

If you have any queries about this privacy notice or how we process your personal information, or if you wish to exercise any of your rights under applicable law, you should contact the School's Data Protection Lead:

Mr Vince Holden, Vice Principal.

Email: v.holden@newhallschool.co.uk.

Address: The Avenue, Boreham, Chelmsford, Essex CM3 3HS

Data protection complaints

If you are not satisfied with how we are processing your personal information, or you believe that we have not complied with data protection law, you can make a data protection complaint to the School.

You can make a complaint by:

- email: v.holden@newhallschool.co.uk.
- writing to the Data Protection Lead: The Avenue, Boreham, Chelmsford, Essex CM3 3HS
- You may also make a complaint verbally if you prefer.

We will acknowledge receipt of a data protection complaint within 30 days. We will investigate the complaint appropriately, keep you informed where appropriate, and communicate the outcome of the complaint without undue delay.

Making a complaint about data protection does not prevent you from exercising any of your statutory data-protection rights.

If you are not satisfied with how we have handled your complaint, you can complain to the Information Commissioner's Office (ICO).

Information about how to contact the ICO is available at:
www.ico.org.uk

The ICO recommends that you normally give the School an opportunity to address your concerns before making a complaint to the ICO, although this does not remove your right to complain to the ICO.

Related documents

This Privacy Notice should be read alongside the School's:

- Data Protection Policy;
- Data and Records Retention Policy;
- Surveillance Camera Systems Procedure;
- IT policies;

- disciplinary and grievance procedures;
- safeguarding policies;
- recruitment procedures; and
- Appropriate Policy Document, where applicable.