Westcliff High School
for Boys

Fair Processing Notice for Employees

Westcliff collects data and information about our employees so that we can run effectively as a school and comply with our duties and obligations under employment legislation. This Fair Processing Notice explains what data we process, why we process it, our legal basis, how long we keep it and the rights of employees.

We will always make sure that your information is protected and treated securely. Any information that we process will be held in accordance with the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and other UK or EU data protection legislation

Our contact details

Westcliff High School for Boys
Company number: 07347930
Registered address: Kenilworth Gardens, Westcliff-On-Sea, Essex, SS0 0BP
Phone: 01702 475443
Email: office@whsb.essex.sch.uk

Our Data Protection Officer is **Judicium Consulting Limited** and they can be contacted at **dataservices@judicium.com**

What personal data do we collect about you? How will we use that personal data?

When you are employed by us, we will collect and process a wide variety of your personal data. We start by collecting the personal data on your application form and CV and the information that we gathered from your during the recruitment process. This personal data forms the start of your HR file.

In order for you to be employed by us, we will complete an HMRC Starter Checklist. On this form, we will collect your name, home address, gender, NI number, date of birth, employment start date and your signature. We will need your P45 form, if you have one. We will also need to see your passport as proof of your right to work in the UK (and a copy of this will be retained).

In order to pay you, we will need your NI number and your bank account details. We may also receive court orders that require us to make deductions from your pay (e.g. non-payment of council tax or child maintenance).

For certain roles, we will require a DBS check (the level will depend upon the role) and we will process this information with your consent.

During your time with us, we will collect information about your health, such as when you are ill, have had an accident, require spectacles or have a medical or dentist appointment. We need to process this personal data in order to fulfil our legal obligations to you as your employer, with your consent (e.g. spectacles or a dentist appointment) or as a requirement of your employment contract.

If you become pregnant, we will process your health data in order to assure ourselves, and you, that the workplace is safe for you. You also have rights in the workplace when you are pregnant and we will process your health data and proof of your baby's birth in order to fulfil your rights for maternity leave.

If you wish to take paternity leave, we will process your personal data (your name and your request) in order to fulfil your legal right to do so.

You have the right to request flexible working and we will process your personal data (your name and your request) during this process.

There may come a time that we will be required to process your personal data during a disciplinary or grievance process. This information will likely be your name and statements from other people about you. If you leave us, we will collect personal data from your resignation letter.

We provide pensions for our staff and need to process your name, date of birth, NI number and your salary information in order to do this.

Your image in a photo or video is your personal data. We may wish to use your image on our website or other marketing information in order to promote the School but will always seek your consent for this. You do not have to agree that we can use your image – it is completely your choice.

We monitor email traffic and computer use and in doing so we may process your personal data, such as your corporate email address, your IP address, MAC address and the contents of any emails.

During the course of your employment, you will be required to put your name on or sign a wide variety of documents. Your name or signature is your personal data but the contents of the document, unless it is about you, is not your personal data.

Should you drive a School vehicle or your own vehicle on School business then your driving licence record will be checked and a copy stored on file.

Your image is captured by CCTV and the footage may be used for a variety of purposes, including health and safety, crime detection and prevention or any HR issues and can be used for disciplinary or dismissal purposes.

If we receive evidence that you have posted disparaging information about the School, a staff member or student (current, former or prospective), then we will have a legitimate interest in viewing your social media accounts.

What is our legal basis for processing your personal data? How long do we hold your personal data?

We need a legal basis in order to process your personal data. Most of our processing is because we either have a legal obligation to process the data or because we have a contract of employment with you. On occasion, we will seek your consent to process your personal data but you are free to refuse.

We hold your personal data while you are employed by us and for seven years after due to HMRC requirements. After seven years, your file will be destroyed. We hold school workforce data for the timeframe as specified in the "Records Management Toolkit for Schools v5 2016".

We will process the following personal data because we have a legal obligation to do so:

- Your passport to ensure that you have the right to work in the UK;
- Your name, home address, gender, NI number, date of birth and signature are processed because we are required to do so by HMRC;

- We may receive a court order that require us to make deductions from your pay (e.g. non-payment of council tax or child maintenance);
- We will process your health data if you are ill or have an accident because we have a legal obligation to do so;
- If you become pregnant, we will process your health data because we have a legal obligation to fulfil your rights for maternity leave;
- If you wish to take paternity leave, we will process your personal data because we have a legal obligation to fulfil your rights for paternity leave;
- If you wish to request flexible working and we will process your personal data because we have a legal obligation to fulfil your right to request flexible working;
- If you are involved in a disciplinary or grievance process, we will process your personal data because we have a legal obligation to provide a disciplinary or a grievance process;
- We have a legal obligation provide pensions for our staff and we need to process your name, date of birth, NI number and your salary information in order to do this.

We will process the following personal data because we have a contract of employment with you:

- Your CV and the information that we gathered from your during the recruitment process
- We will need your NI number and your bank account details in order to pay you

We will process the following personal data because you have consented for us to do so:

- We can only use your image in a photo or video for marketing purposes with your consent. You may withdraw your consent at any time but this will not affect our use of your image while we had your consent;
- We process your health data with your consent if you would like to get VDU spectacles or have a medical or dentist appointment;
- We will collect personal data from your resignation letter, if you choose to write one.
- Information regarding your DBS certificate

We will process the following personal data because we believe that we have a legitimate interest in doing so:

- We monitor email traffic and in doing so we may process your personal data. This processing is necessary for the security of our email system and to prevent misuse;
- During the course of your employment, you will be required to put your name on or sign a wide variety of documents. This use of your personal data is necessary for the running of our business;
- We will process your personal data during our appraisal process as we have a legitimate business interest in appraising our staff and helping you to achieve your best for the business.
- Your image will be captured by CCTV for safety, security, crime prevention and HR purposes.

In the case of any disputes, we will process the following personal data because we have a legitimate interest and the processing is necessary for the establishment, exercise or defence of legal claims:

- all personal data will be shared, as required, with our legal advisors and our insurers.

You have the right to object to our processing your data using legitimate interest. Please speak to us if you have any concerns.

We process the following personal data with your explicit consent and you have the right to withdraw your consent at any time:

- your health data in order to obtain an expert medical opinion when making decisions about your fitness for work.

We process the following personal data with under employment law and we can do this without your consent:

- health data to assess your working capacity.

Do we use any automated decision making?

We do not use any automated decision making.

Do we transfer your personal data outside of the UK?

We do not transfer your personal data outside of the UK.

Who do we share your personal data with?

Depending on your personal circumstances we may share your personal data with the following recipients:

- References in relation to tenancy or mortgage applications;
- HMRC;
- Our software and cloud service providers;
- Potentially ACAS and an Employment Tribunal;
- Pension providers;
- Banks or building societies;
- Government agencies;
- Payroll provider;
- Insurance providers, if required;
- Legal advisers, if required.

We are required, by law, to pass on some of this personal data to the Department for Education (DfE), so that they are able to meet their statutory obligations.

If you require more information about how we and/or DfE store and use your personal data please visit: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

Why we share School Workforce information

We are required to share information about our school employees with the Department for Education (DfE) under Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Department for Education (DfE)

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

Data collection requirements

The DfE collects and processes personal data relating to those employed by schools and local authorities that work in state funded schools (including all 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 DfE , including the data that we share with them, go to https://www.gov.uk/education/data-collection-and-censuses-for-schools

How long do we keep your personal data for?

We keep your personal data in your HR file in accordance with our HR retention schedule. For example, your bank details will be destroyed at the end of your employment and our copies of your right to work documents will be destroyed two years after the end of your employment.

Your image captured by CCTV will generally be retained for 28 days, after which the footage will be overwritten. We will retain your image for a longer period if necessary for safety, security and crime prevention purposes or where directed by a law enforcement agency.

What are your privacy rights?

Under the UK General Data Protection Regulation (GDPR), data subjects have rights about their personal data:

The right to be informed	Provide data subjects with information about the processing activities being conducted.
The right to request access	Provide data subjects with confirmation that their personal data is being processed and access to the personal data, subject to exemptions.
The right to recertification	data subjects have the right to request to have inaccurate or incomplete personal data corrected
The right to erasure	Data subjects have the right to request to have their personal data erased
The right to restrict processing	Data subjects have the right to request to the restriction of the processing of their personal data
The right to data portability	Data subjects have the right to request a move of their personal data between organisations
The right to object	Data subjects have the right to object to how their personal data is being processed
Rights relating to automated decision making and profiling	Data subjects have the right to not be subject to an automated or profiling decisions

For more information about your Data Subject Rights, please refer to the ICO website – https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulations-gdpr/individual-rights/

You also have the right to lodge a complaint with the ICO regarding any aspect of our processing of your personal data. We would appreciate the opportunity to address any issues and request that you contact us in the first instance.

WHSB is registered with the Information Commissioner's Office under number Z2821659.