



## Privacy notice for employees, applicants for employment and volunteers (including Governors)

Fellview Primary School is committed to protecting and respecting your privacy. This privacy notice sets out how we collect, use and protect your personal information.

When you provide or we collect information by which you can be identified then it will only be used in accordance with this privacy notice, the UK-General Data Protections Regulation (UK-GDPR), the Data Protection Act 2018 (DPA) and any subsequent relevant legislation.

This notice explains

- Who we are
- Contact details of our data protection representative
- What information we may collect about you
- How we may use this information
- The legal bases for using this information
- How long this information is kept
- How we keep your personal data safe
- Whether we disclose this information to anyone else
- Your rights relating to the information you give to us

We may change this privacy notice from time to time to ensure that it is up to date and in line with current legislation and will advise you when we do so if applicable. We deem that you accept changes to this privacy notice unless you tell us otherwise.

For the purpose of employment and volunteering the data controller (as defined by the UK-GDPR) is Fellview Primary School

### What we collect

We may collect the following information:

- name
- title of job or volunteer position held or applied for
- contact information including telephone number, postal address, email address
- financial information such as credit/debit card or bank details so that we can administer payroll and/or pensions
- details of any convictions
- CCTV images or images which may give away information about you
- other information relevant to employment including references, training, appraisals, grievances, disciplinary action
- Special category personal data such as race, ethnic origin, religion, trade union membership, health or sexual orientation
- Emergency contact details such as name, relationship to you, phone, email, home or work address
- Beneficiaries for pension or other benefit purposes

## **What we do with the information we gather**

We require this information for the following reasons:

- recruitment of employees and volunteers
- to manage your employment or volunteering with us
- internal record keeping
- monitoring and/or evaluation purposes.

## **Legal basis for processing data:**

We must have a legal basis for processing all personal data that we hold about you. Some types of personal data are singled out as likely to be more sensitive, and the law gives them extra protection. These are referred to as 'special category personal data' and we must have an additional lawful basis if we process these.

The bases that we use are as follows:

For recruitment and managing fixed term or permanent employment or volunteering:

### ***For processing of general personal data:***

- The data subject has given consent to the processing\*
- The processing is necessary- for the performance of a contract to which the data subject is a party, or for the taking of steps at the request of the data subject with a view to entering into a contract
- The processing is necessary for compliance with any legal obligations to which the data controller is subject, other than an obligation imposed by contract
- The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject

*\*Consent is usually used only for the provision of references and information relating to emergency contacts, next of kin and beneficiaries*

### ***For processing of special category personal data:***

- The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law
- processing is necessary for the establishment, exercise or defence of legal claims or wherever courts are acting in their judicial capacity

### ***For processing personal data relating to criminal convictions:***

The regulations relating to the processing of personal data about criminal convictions lie within the Law Enforcement Directive 2018. Our lawful basis for processing this personal data is:

- the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, **and** the data subject has given consent to the processing.

For internal record keeping:

### ***For processing of general personal data:***

- The processing is necessary for compliance with any legal obligations to which the data controller is subject, other than an obligation imposed by contract

### ***For processing of special category personal data:***

- The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law

For monitoring and/or evaluation purposes:

- The data subject has given consent to the processing
- The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject

Where we use our legitimate interests as the legal basis for processing personal data we will tell you what this interest is when we collect the information.

Where you have given us consent to process your personal data for a specified purpose you can withdraw your consent at any time by informing us in writing.

## How long we keep information about you

- We will not keep any personal information for the purpose of giving a reference for an employee or volunteer who leaves the organisation for more than six years after they have left unless there is a legitimate interest or a legal reason for keeping it.
- Details of unsuccessful candidates, including interview notes will be kept for twelve months.

For more information see our Retention Schedule, which is part of the Information Management Toolkit for Schools (May 2019) which is on our website or available upon request from the school office.

## Safety of personal data

In order to prevent unauthorised access or disclosure we have effective physical, electronic and managerial procedures to safeguard and secure the information we hold about you

We keep information about you safe and secure by using electronic databases including ScholarPack which are password protected systems, accessed only by staff who have been sufficiently trained and who are bound by our organisational policies and procedures. Any paper copies are kept securely in locked drawers/cupboards.

If you have provided information on paper, it may be transferred to an electronic database.

All information you provide to us is stored on secure servers and any cloud based systems are located within the European Economic Area (EEA).

However some of the organisations we use may transfer personal data outside the EEU. Where this happens the School ensures that this is done lawfully, making certain that there are sufficient safeguards in place as approved by the Information Commissioner's Office (ICO), for example use of the ICO's standard contractual clauses **Applications online**

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

### **Links to other websites**

Where we provide links to websites of other organisations, for example through our website, this privacy notice does not cover how that organisation processes personal information. We encourage you to read the privacy notices on the other websites you visit.

## Disclosure of your personal data to third parties:

We sometimes share your personal data with trusted third parties. These are listed below.

When we share your personal data with these third parties who perform services for us, we require them to take appropriate steps to protect your personal information, and only to use the personal information for the purpose of performing those specific services.

Name of company/organisation	The service they perform for us
Gemini/Juniper	IT/web site hosting
Gemini/Juniper	IT/web maintenance
Santander	Bank
County /Gemini	Email
Connexions	Telephone (land line)
Tesco Sim Card Only	Mobile
Tempest	School Photographer
The Shredder	Confidential waste disposal
Various providers.	Provision of venues and activities for residential and day trips
Cumbria County Council	Pension provider

We will never sell or distribute your personal information to any other third parties or make it public unless we have a legal obligation to do so.

## Your rights

Under data protection legislation you have the following rights:

- **The right to be informed.** We do this by giving you this privacy notice and by giving further explanation when we collect personal data from you.
- **The right of access.** You have the right to request a copy of the information we hold about you (Data Subject Access Request) and this can be submitted at any time. We will respond within one month of receiving this request verbally or in writing.
- **The right to rectification.** We want to make sure that the personal information we hold about you is accurate but if you believe that any information we are holding on you may be incorrect or incomplete, please contact us as soon as possible. We will promptly correct any information found to be incorrect.
- **The right to erasure.** You also have the right to request the modification or erasure of your personal information (otherwise known as the right to be forgotten). If you make this request all personal data not subject to a contract or which has to be kept for legal reasons will either be anonymised or destroyed.
- **The right to restrict processing.** You can ask us to limit the way we use your personal data if you are concerned about the accuracy of the data or how it is being used. We may not agree to do this if it is necessary for the

purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment, or otherwise materially affects our contract with you.

- **The right to data portability.** This applies to information you have given us. You have the right to ask that we transfer the information you gave us to another organisation.
- **The right to object.** You can object to the way we use your personal data. We may not uphold your objection if the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment, or otherwise materially affects our contract with you.
- **Rights in relation to automated decision making and profiling.** You have the right to ask that any decisions we make about you by automated means be reviewed by a human being with the authority to override this decision if necessary and to ask us to stop using your personal data to create a profile of you for whatever means.

**We currently do not use automated means to make decisions or make use of your personal data to create a profile of you.**

## Contact

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.

If you would like to discuss anything in this privacy notice, please contact: Mrs L Odams or Catherine Hunt, our Data Protection Officer at Fellview Primary School, Caldbeck, Wigton, CA78HF, Tel: 01697 478437 or email: [admin@fellview.cumbria.sch.uk](mailto:admin@fellview.cumbria.sch.uk)

If you are unhappy about the way we handle your personal data we will explain how we have processed it and if we have made a mistake will tell you how we will put this right.

If you are still dissatisfied, you may report your concern to the Information Commissioner's Office (ICO) by contacting: Wycliffe House, Water Lane, Wilmslow SK9 5AF Tel. 0303 123 1113 email: <https://ico.org.uk/concerns/>.