

Date prepared: June 2019

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PRIVACY NOTICE FOR STAFF

Policy Statement

We are Lycée Français Charles de Gaulle de Londres. During individuals' time with us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after they have left the school. Anything that we do with an individual's personal data is known as "processing".

This document sets out what personal data we will hold about our staff, why we process that data, who we share this information with, and the rights of individuals in relation to their personal data processed by us.

What information do we process in relation to our staff?

We will collect, hold, share or otherwise use the following information about our staff:

- Personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, gender, age, date of birth, nationality, passport copy, visa or other immigration information, ID photo and emergency contact details)
- Contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details)
- Work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records)
- Qualifications/training courses attended, CV information and, where relevant, subjects taught
- Performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records)
- Incident information (such as accident or incident records and reports, details of injuries, statements given)
- Other information (such as correspondence using schools systems, pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, minutes from meetings, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, supporting documents to prove address and other details, CCTV footage, audio-visual recordings and images)

We will also use special categories of data which may include racial or ethnic group, sex, trade union membership, information about health, and biometric data. These types of personal data are subject to additional requirements.

Where do we get information from about our staff?

A lot of the information we have about our staff comes from the individuals themselves. However, we may also obtain information from tax and regulatory authorities such as HMRC, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publically available resources including online sources. In addition, we may obtain information from our computer networks and systems (including automated back-ups), CCTV and access control systems, remote access systems, email and instant messaging systems, internet facilities, telephones, voicemail and mobile phone records (when mobile phones are provided by the Lycée).

Why do we use this information?

We will process the personal data of our staff for the following reasons:

1. Where we are **required by law**, including:

- To comply with the law regarding data sharing (see further below)
- To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation and under statutory codes of practice such as those issued by ACAS
- To comply with immigration law
- To comply with legal requirements in relation to equalities and non-discrimination
- To comply with requirements to pass information to the French Embassy (such as emergency contact numbers)
- To comply with safeguarding requirements

2. Where we are required by any **contract** with our staff, such as employment contracts, including:

- To make payments to our staff, such as salary payments
- To deduct tax and National Insurance contributions
- To make a decision about recruitment
- To check individuals are legally entitled to work in the UK
- To administer employment contracts
- To conduct performance and/or attendance reviews
- To make decisions about salary and compensation
- To liaise with pension providers
- To provide the following benefits:
 - Subsidised or partially subsidised canteen services
 - Fully subsidised Lycée school fees for locally hired employees' children (under certain circumstances)
- To interact with trade unions

3. Where the law otherwise allows us to process the personal data, or we are carrying out a task in our **legitimate interest** to be a safe and successful school, including:

- To enable the development of a comprehensive picture of the staff and how it is deployed
- To inform the development of recruitment and retention policies
- To safeguard our pupils and other individuals
- To ensure safe working practices
- In the interests of ensuring equal opportunities and treatment
- To defend against or exercise legal claims and investigate complaints

4. Where we otherwise have the **consent** of the individual

Whilst the majority of processing of personal data of our staff will not require consent, we will inform individuals if their consent is required and seek that consent before any processing takes place. In the limited circumstances where individuals have provided their consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw their consent for that specific processing at any time. To withdraw their consent, they should contact our Data Protection Officer (see **Contact Us** below).

Why do we use special category personal data?

We may process special category personal data of our staff for the following reasons:

1. To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy.
2. Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy.
3. For the purposes of preventative or occupational medicine in order to assess an individual's working capacity and/or the need for reasonable adjustments.

4. Where we otherwise have an individual's explicit written consent.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

Failure to provide this information

If our staff fail to provide information to us then this may result in us being unable to perform the employment contract, or we may be prevented from complying with our legal obligations.

How long will we hold information in relation to our staff?

We will hold information relating to our staff only for as long as necessary. How long we need to hold on to any information will depend on the type of information. For further detail on specific retention periods please contact our Data Protection Officer (see **Contact Us** below).

Who will we share information with about our staff?

We routinely share information about our staff with:

- The Department for Education, the French Embassy and the AEFÉ, in compliance with legal obligations of the school to provide information about our staff as part of statutory data collections
- Contractors, such as payroll providers, to enable them to provide an effective service to the school and government agencies such as HMRC and DWP (Department for Work and Pensions) regarding tax payments and benefits
- Our professional advisors including legal and HR consultants

The Department for Education may share information that we are required to provide to them with other organisations. For further information about the Department's data sharing process, please visit: <https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>.

Contact details for the Department for Education can be found at <https://www.gov.uk/contact-dfe>.

Rights of our staff in relation to their personal data

All of our staff have the right to request access to personal data that we hold about them. To make a request for access to their personal data see the **Contact Us** section below.

Please also refer to our Data Protection Policy for further details on making requests for access to staff information.

Individuals also have the right, in certain circumstances, to:

- Object to the processing of their personal data
- Have inaccurate or incomplete personal data about them rectified
- Restrict processing of their personal data
- Object to the making of decisions about them taken by automated means
- Have their data transferred to another organisation
- Claim compensation for damage caused by a breach of their data protection rights

If an individual wants to exercise any of these rights then they should contact us as set out below. The law does not oblige the school to comply with all requests. If the school does not intend to comply with the request then the individual will be notified of the reasons why in writing.

Concerns

If an individual has any concerns about how we are using their personal data then we ask that they contact our Data Protection Officer in the first instance. However, an individual can contact the Information Commissioner's Office should they consider this to be necessary, at <https://ico.org.uk/concerns/>.

Contact Us

If you would like to discuss anything in this privacy notice, exercise any of your rights in relation to your personal data, or make a complaint, please contact:

Data Protection Officer – Mrs Michaëlle Demoncheaux

Telephone: 0207 590 6815

Email: dpo@lyceefrançais.org.uk