

South Bank Academies

Privacy Notice

South Bank Academies and its Schools are committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

If you are a Pupil or a Parent, we have a separate privacy notice to explain how we collect and use your data.

Who Collects This Information

South Bank Academies and its Schools is the “data controller.” This means that we are responsible for deciding how we hold and use personal information about you.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

The Categories of Information That We Collect, Process, Hold and Share

We may collect, store and use various categories of personal information about you, including but not limited to:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Education details;
- Photographs;
- Images captured by the School’s CCTV system;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;

- Financial information, National insurance details, UKVI information

For specific details of categories of information, please see each individual appendix

How We Collect This Information

We may collect this information through various channels, including but not limited to:

- From you directly,
- The Home Office
- DBS
- CCTV and access control systems
- Remote access systems
- Email and instant messaging systems, intranet and internet facilities.

For a full list of data collection channels, please see relevant appendix.

A majority of the information that we collect from you is mandatory, however there is some information that you can choose whether or not to provide it to us. Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Purpose and Legal Basis for Processing your Data

We only process data for specified purposes and if it is justified in accordance with Data Protection Law. Most commonly, we will use your information in the following circumstances:

- Where you have provided your consent;
- Where we need to perform the contract we have entered into with you;
- Where we need to comply with a legal obligation (such as health and safety legislation and under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.

We need all the categories of information in the list above primarily to allow us to comply with our legal obligations and to enable us as a Trust/School to perform our public task. Please note that we may process your information without your knowledge or consent, where this is required or permitted by law.

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as to ensure health and safety). Where you have provided us with consent to use your data, you may withdraw this consent at any time.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. To see more detail, please refer to relevant appendices.

Automated Processing

Automated individual decision-making means making a decision solely by automated means without any human involvement. Profiling means the processing of personal data to evaluate certain things about an individual. We are allowed to use automated decision making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration;
- Where it is necessary to perform the contract with you and appropriate measures are put in place to safeguard your rights; or
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

We will not make any significant decisions about you based solely on automated decision making, unless we have a lawful basis for doing so and we have notified you.

Recipients of Personal Data

On occasion we may need to share your data internally and with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

For a full list, please see the relevant appendix.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EEA. If we do, you can expect a similar degree of protection in respect of your personal information.

Retention of Data

Except as otherwise permitted or required by applicable law or regulation, the trust and its schools only retain personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

To determine the appropriate retention period for personal data, the Trust considers the amount, nature, and sensitivity of personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for processing the personal data, whether we can fulfil the purposes of processing by other means and any applicable legal requirements.

The Trust typically retains personal data for 6 years or for as long as the data is required subject to any exceptional circumstances or to comply with laws or regulations that require a specific retention period.

Full details on how long we keep personal data for is set out in our Data Retention Policy.

Security

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

Third parties will only process your personal information on our instructions and where we have put requirements in place to ensure they comply with the data protection regulations and keep the data secure.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach if the criteria for notification are met.

Your Rights of Access, Correction, Erasure and Restriction

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Your rights as a data subject The UK GDPR gives you certain rights:

- A. The right to be informed – we will inform you if we are using or storing your personal information.
- B. The right of access – you can ask us for a copy of your personal information by making a subject access request.
- C. The right to rectification – if you think the personal information, we hold about you is not right you can ask us to correct it.
- D. The right to erasure – you can ask us to delete your information and, if we are able to, we will do so.
- E. The right to restrict processing – you may want to stop us from using your information for some purposes.
- F. The right to information portability – as well as being able to ask for a copy of your information you can ask for it to be in a format that makes it accessible if you wish to share it with others.
- G. The right to object – If you are concerned about how we are using your information tell us.
- H. Rights in relation to automated decision making and profiling – if you think that we have made a decision about you automatically (by, for example a machine or computer) you can ask for the decision to be reviewed by a living person.

Some of these rights are not absolute. Whilst you can ask for certain things to happen, there may be reasons why we cannot comply. For example, we may have to keep information that you would like deleted for legal reasons. For more detailed information about your individual rights please refer to the [Information Commissioners Office](#).

If you want to exercise any of the above rights, please contact the Principals in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Principals. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

How to Raise a Concern

We hope that the Principal can resolve any query you raise about our use of your information in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the Principal, then you can contact the DPO on the details below:

Data Protection Officer: Judicium Consulting Limited
Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0345 548 7000 (option 1, then option 1 again)

You have a right to complain to the Information Commissioner's Office (ICO) about the way in which we process your personal data. You can make a complaint on the ICO's website <https://ico.org.uk/>.

Changes to This Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Appendix 1: Governors and Volunteers

This following appendix applies to governors and volunteers.

The Categories of Information That We Collect, Process, Hold and Share

We may collect, store and use various categories of personal information about you. For specific details of categories of information, please see each individual appendix

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Education details;
- DBS details;
- Employment details;
- Information about business and pecuniary interests;
- Information acquired as part of your application to become a governor;
- Criminal records information as required by law to enable you to work with children;
- Information about your use of our IT, communications and other systems, and other monitoring information;
- Photographs;
- Images captured by the School's CCTV system;
- Video recordings capture by the School's video conferencing platform;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- Details in references about you that we give to others.

Collecting Your Data

We may collect this information from you directly, from the DBS, other employees and professionals we may engage, automated monitoring of our websites and other technical systems such as our computer networks and connects, CCTV and access control systems, remote access systems, email and instant messaging systems, intranet and internet facilities.

Purpose and Legal Basis of Processing your Data

The situations in which we will process your personal information are listed below:

- To determine appointment and suitability as a governor;
- To deal with election of governors;
- To comply with safeguarding obligations;
- To provide details on our website or online databases about governors;
- To communicate with third parties and other stakeholders to the School;

- For business management and planning purposes (including accounting, budgetary and health and safety purposes);
- For financial purposes (such as expenses);
- To deal with any complaints/investigations as required;
- When you sit on a panel or committee, name and comments as well as decisions made;
- To send communications in your role as governor;
- For education, training and development requirements;
- In order to review governance of the School;
- In order to comply with any legal dispute or any legal obligations;
- In order to comply with regulatory requirements or health and safety obligations;
- To ensure system security, including preventing unauthorised access to our networks;
- To monitor use of our systems to ensure compliance with our IT processes;
- To receive advice from external advisors and consultants;
- To liaise with regulatory bodies (such as the DfE, DBS); and
- Dealing with termination of your appointment;

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Recipients of Personal Data

On occasion we may need to share your data internally and with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following:

- Government departments or agencies
- The Local Authority
- Suppliers and Service providers
- Professional advisors and consultants
- The Department for Education



- Law enforcement
- Other schools within the trust
- LSBU Group
- Support services;
- DBS.

Appendix 2: Job Applicants

This following appendix applies to job applicants. Successful candidates should refer to our privacy notice for staff for information about how their personal data is stored and collected.

The Categories of Information That We Collect, Process, Hold And Share

We may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;
- Details of your employment history including job titles, salary and working hours;
- Information regarding your criminal record as required by law to enable you to work with children;
- Details of your referees and references;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

We may also collect information after the shortlisting and interview stage in order to make a final decision on where to recruit, including criminal record information, references, information regarding qualifications. We may also ask about details of any conduct, grievance or performance issues, appraisals, time and attendance from references provided by you.

Collecting your Data

We may collect this information from you, your referees, your education provider, relevant professional bodies the Home Office and from the DBS.

Purpose and Legal Basis

Generally, the purpose of us collecting your data is to enable us to facilitate safe recruitment and determine suitability for the role. We also collect data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required. At application stage the majority of the data is processed on the basis of your consent, with Legal Obligation applying to DBS and other Safeguarding checks.

If you fail to provide certain information when requested, we may not be able to take the steps to enter into a contract with you (for example if incorrect references are provided), or

we may be prevented from complying with our legal obligations (such as to determine suitability to work with children).

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Recipients of Personal Data

On occasion we may need to share your data internally and with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following:

- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
- Referees;
- Our trust in order to meet our legal obligations for sharing data with it;
- Other schools within the trust;
- LSBU Group
- DBS; and
- Recruitment and supply agencies.

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Usually, information will be anonymised but this may not always be possible. The recipients of the information will be bound by the Data Protection regulations.. We may also be required to share some personal information with our regulators or as required to comply with the law.

Appendix 4: Staff

This following appendix applies to all current and former employees, workers and contractors.

The Categories of Information That We Collect, Process, Hold And Share

We may collect, store and use the following categories of personal information about you:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that we retain during your employment including references, proof of right to work in the UK, application form, CV, qualifications;
- Employment contract information such as start dates, hours worked, post, roles;
- Education and training details;
- Details of salary and benefits including payment details, payroll records, tax status information, national insurance number, pension and benefits information;
- Details of any dependents;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;
- Information in your sickness and absence records such as number of absences and reasons (including sensitive personal information regarding your physical and/or mental health);
- Criminal records information as required by law to enable you to work with children;
- Information on grievances raised by or involving you;
- Information on conduct and/or other disciplinary issues involving you;
- Details of your appraisals, performance reviews and capability issues;
- Details of your clocking in and out times, and attendance records;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Details of your use of business-related social media;
- Images of staff captured by the School's CCTV system;
- Recordings of staff from the School's video conferencing platform;
- Your use of public social media (only in very limited circumstances, to check specific risks for specific functions within the School, you will be notified separately if this is to occur); and
- Details in references about you that we give to other organisations;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

How We Collect This Information

We may collect this information from you, your personnel records, the Home Office, pension administrators, your doctors, from medical and occupational health professionals we engage, the DBS, other employees, other professionals we may engage (e.g. to advise us generally), automated monitoring of our websites and other technical systems such as our computer networks and connections, CCTV and access control systems, remote access systems, email and instant messaging systems, intranet and internet facilities.

Purpose and Legal Basis for Processing your Data

The situations in which we will process your personal information are listed below:

- To determine recruitment and selection decisions on prospective employees;
- In order to carry out effective performance of the employees contract of employment and to maintain employment records;
- To comply with regulatory requirements and good employment practice;
- To carry out vetting and screening of applicants and current staff in accordance with regulatory and legislative requirements;
- Enable the development of a comprehensive picture of the workforce and how it is deployed and managed;
- To enable management and planning of the workforce, including accounting and auditing;
- Personnel management including retention, sickness and attendance;
- Performance reviews, managing performance and determining performance requirements;
- In order to manage internal policy and procedure;
- Human resources administration including pensions, payroll and benefits;
- To determine qualifications for a particular job or task, including decisions about promotions;
- Evidence for possible disciplinary or grievance processes;
- Complying with legal obligations;
- To monitor and manage staff access to our systems and facilities in order to protect our networks, the personal data of our employees and for the purposes of safeguarding;
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;
- Education, training and development activities;
- To monitor compliance with equal opportunities legislation;
- To answer questions from insurers in respect of any insurance policies which relate to you;

- Determinations about continued employment or engagement;
- Arrangements for the termination of the working relationship;
- Dealing with post-termination arrangements;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

How We Use Special category data

We will use this information in the following ways:

- Collecting information relating to leave of absence, which may include sickness absence or family related leave;
- To comply with employment and other laws;
- Collecting information about your physical or mental health, or disability status, to ensure your health and welfare in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to manage sickness absence and to administer benefits;
- Collecting information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- To record trade union membership information to pay trade union premiums and to comply with employment law obligations.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Recipients of Personal Data

On occasion we may need to share your data internally and with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following:

- The Department for Education (DfE);
- Ofsted;
- Other schools within the Trust;
- LSBU Group
- Prospective Employers;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- LADO;
- Training providers;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority;
- Occupational Health;
- DBS; and
- Recruitment and supply agencies.

Appendix 5: Visitors and Contractors

This following appendix applies to all current and former visitors and contractors.

The Categories of Visitor Information That We Collect, Process, Hold And Share

We process data relating to those visiting our school (including contractors). Personal data that we may collect, process, hold and share (where appropriate) about you includes, but not restricted to:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Criminal records information as required by law to enable you to work with children e.g. DBS checks;
- Information relating to your visit, e.g. your company or organisation's name, arrival and departure time, car number plate;
- Information about any access arrangements you may need;
- Photographs for identification purposes for the duration of your visit;
- CCTV footage captured by the school.

How We Collect This Information

We may collect this information from you, the Home Office, the DBS, other professionals we may engage (e.g. to advise us generally), our signing in system, automated monitoring of our websites and other technical systems such as our computer networks and connections, CCTV and access control systems, remote access systems, email and instant messaging systems, intranet and internet facilities.

Purpose and Legal Basis for Processing your Data

The situations in which we will process your personal information are listed below:

- Ensure the safe and orderly running of the school;
- To manage our workforce and those deployed on site;
- Personnel management including retention
- In order to manage internal policy and procedure;
- Complying with legal obligations;
- Carry out necessary administration functions to allow visitors and contractors on site;
- To monitor and manage access to our systems and facilities in order to protect our networks and for the purposes of safeguarding;
- To monitor and protect the security of our network and information, including preventing unauthorised access to our computer network and communications systems and preventing malicious software distribution;

- To answer questions from insurers in respect of any insurance policies which relate to you;
- Health and safety obligations;
- Prevention and detection of fraud or other criminal offences; and
- To defend the School in respect of any investigation or court proceedings and to comply with any court or tribunal order for disclosure.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Recipients of Personal Data

On occasion we may need to share your data internally and with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following:

- the Department for Education (DfE);
- Ofsted;
- Other schools within the trust;
- LSBU Group
- Law enforcement officials such as police, HMRC;
- LADO;
- Professional advisors such as lawyers and consultants;
- Support services (including HR support, insurance, IT support, information security, pensions and payroll);
- The Local Authority; and
- DBS.

Appendix 6: Collecting Data in a Pandemic

In a pandemic, we may need to store your data for test and trace purposes. This is in order for the trust and/or its schools to engage with the test and trace process, make decisions on safety within the school and whether individuals are required to self-isolate or carry out a test. To do this we will be recording your name, contact number and date and time of arrival as well as time of departure.

To complement the above we may also ask for data that has not been previously supplied. This will allow us to assess an individual's ability to attend/return to school and what measures may need to be put in place to allow for a safe return. We, additionally, may need to collect data about individuals that you reside with in order to factor in appropriate considerations for their wellbeing.

All data collected by the trust and its schools will be processed in accordance with our retention, destruction, data protection policies. All data collected for test and trace purposes will be retained for 21 days in accordance with government guidelines.

The legal bases for using your data in these circumstances will be for the reasons of substantial public interest and in the interests of public health. Dependent on circumstances the basis may be to assess the working capacity of an employee or to protect the vital interests of yourself or another person. We may need to share select data with others. This can be with the NHS and emergency services, public health, public authorities as well as other stakeholders. This will only be done where it is necessary and proportionate for us to do so.