



Loughborough
Schools Foundation

Nursery • Fairfield • Grammar • High

Privacy Notice for Staff and Guests

Document Management Information

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Policy Author:	James Leeson, Data Protection Officer
Approved By:	<u>David Goodacre, Bursar</u>
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Revision History

Version	Description of Revision	Date Approved
1.0	Adopted ISBA guidelines, with customisation to the Foundation.	June 2024
1.1	New version on Foundation template. Minor edits to structure and sentence structure.	December 2026

1. Who we are

Loughborough Schools Foundation (LSF) is the organisation (referred to in this policy as “the Foundation”) responsible for three Independent Schools and a nursery operating under a single Board of Trustees. The Foundation comprises Fairfield Preparatory School (co-educational, 3-11), Loughborough Grammar School (boys, 10-18, day and boarding), Loughborough High School (girls, 11-18), and ‘The Nursery’ for children from 6 weeks to 4 years.

The Foundation is incorporated as a company limited by guarantee, number 4038033, and is a registered charity, number 1081765.

The Foundation is registered as the Data Controller under Data Protection Law and will observe the provisions of all related legislation, as well as frameworks provided by the Department for Education (DfE), to all Schools and departments within the Foundation. This includes Early Years Foundation Stages (EYFS), The Nursery, alumni associations, and any subsidiary companies.

2. Who this notice applies to

This notice applies to staff at the Foundation, including current, former and prospective: employees, self-employed contractors, visiting music teachers and other peripatetic workers, casual workers, temps, and volunteers who may be employed or engaged by the Foundation to work for it in any capacity, as well as prospective applicants for roles

Please note that references to “employment”, “staff” etc. in this Privacy Notice are not intended to imply or confer any employment rights on you if you are a contractor, non-employed worker, or job applicant.

3. About this privacy notice

This Privacy Notice explains how the Foundation processes your personal data and your rights in relation to the personal data we hold about you.

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

- any contract between you and the Foundation, such as the terms and conditions of employment, and including the staff code of conduct and any applicable staff handbook;
- the Foundation’s CCTV and/or biometrics policy;
- the Foundation’s retention of records policy;
- the Foundation'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 Foundation’s data protection policy; and
- the Foundation's IT policies, including its Acceptable Use policy, Online Safety policy, Social Media policy

Please note that any contract you may have with the Foundation will be relevant to how the Foundation processes your data, in accordance with any relevant rights or obligations under that contract. However, this Privacy Notice is the primary document by which we notify you about the processing of your personal data by the Foundation.

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

If we ask for your personal information, we will:

- tell you the reasons why we're asking for it;
- only ask for the information we need;
- make sure we don't keep it for longer than necessary;
- protect it and make sure only the appropriate people have access to it;
- let you know if we'll share it with other organisations;
- keep it up to date where necessary and let you know if you need to notify us about changes to your circumstances;
- consider privacy risks when we're planning to change the way we use or hold it; and
- train our staff to ensure we properly use and protect it.

4. How we collect your information

4.1 Before you are employed or engaged by the Foundation, we may collect your personal data in a number of ways, for example:

- from the information you provide to us before making a job application;
- when you submit a formal application to work for us, and provide your personal data in application forms and covering letters, or when you complete a self-declaration, etc.;
- when you attend an interview; and
- from third parties, for example the Disclosure and Barring Service ("DBS") and referees (including your previous or current employers or school), or from third party websites (as part of online suitability checks for shortlisted candidates) 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.

4.2 During the course of your employment or engagement with us, we will collect data from or about you, including:

- when you provide or update your contact details;
- when you or another member of staff completes paperwork regarding your performance appraisals;
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on Foundation systems;
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.

5. Types of information we collect

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

5.1 Contact and communications information, including:

- your contact details (including email address(es), telephone numbers and postal address(es);
- contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Privacy Notice;
- records of communications and interactions we have had with you;

5.2 Biographical, educational, and social information, including:

- your name, title, gender, nationality and date of birth;
- your marital status and details of any dependents you may have;
- your image and likeness, including as captured in photographs taken for work purposes;

- details of your education and references from your institutions of study;
- lifestyle information and social circumstances;
- your interests and extra-curricular activities;
- information in the public domain, including information you may have posted to social media, where relevant to your role (e.g. as part of pre-employment screening);

5.3 Financial information, including:

- your bank account number(s), name(s) and sort code(s) (used for paying your salary or invoices and processing other payments);
- your tax status (including residence status);
- information related to pensions, national insurance, or employee benefit schemes;

5.4 Work related information, including:

- details of your work history and references from your previous employer(s);
- car details (about those who use our car parking facilities)
- records of your work at the Foundation (including your start date, working hours, training records and performance / appraisal records, and information about your use of our IT systems);
- your personal data captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the Foundation;
- if applicable, recordings of your lessons and other meetings with staff and pupils, and of your participation in Foundation events;
- 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 Foundation, where relevant (for example, where you have asked us to keep in touch with you);
- details of your right to enter, live and work in the UK, including your nationality and other immigration status information (ie about your entitlement to work in the UK), including copies of passport information (if applicable);
- details of any disciplinary matters or grievances which you raise or which relate to you;

6. Reason for processing your personal data, how that data is used and whom it is shared with

6.1 Entering into, or fulfilling, our contract with you

We process your personal data because it 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 data 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 Foundation's IT Acceptable Use Policy);
- to assess and make decisions about your fitness to work, training and development requirements;
- to promote the Foundation to prospective parents and others, including by publishing the work product(s) you create while employed by or otherwise engaged to work for the Foundation;
- 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; and
- for any other reason or purpose set out in your employment or other contract with us.

6.2 Legitimate Interests

We process your personal data because it is necessary for our (or sometimes a third party's) legitimate interests. Our "legitimate interests" include our interests in running the Foundation in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, depending on your role and status, we are likely to use your personal data for the following:

- to provide you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- for security, safeguarding, welfare, and investigation purposes, including by operating security cameras in various locations on the Foundation's premises;
- to enable relevant authorities to monitor the Foundation's performance and to intervene or assist with incidents as appropriate;
- to provide education services to pupils, including where such services are provided remotely (either temporarily or permanently);
- to safeguard staff and pupils' health and welfare and provide appropriate pastoral care;
- to carry out or cooperate with any school or external complaints, disciplinary or investigatory process;
- for the purposes of management planning and forecasting, research and statistical analysis;
- in connection with organising events and social engagements for staff;
- to make travel arrangements on your behalf, where required;
- to contact you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work, etc.;
- to provide and maintain a school Archive and/or Alumni services;
- to publish your image and likeness in connection with your employment or engagement with us;
- to monitor (as appropriate) use of the Foundation's IT and communications systems in accordance with the Foundation's IT Acceptable Use Policy and government guidance such as KCSIE;
- Healthy and safety;
 - Workplace safety & security;
 - Protecting employees and the public;
 - Managing risk and liability.

6.3 Legal obligations

We also process your personal data for our compliance with our legal obligations, notably those in connection with employment, charity law, tax law and accounting, and child welfare. In this respect, depending on your role and status, we are likely to use your personal data for the following:

- child welfare (including following the requirements and recommendations of KCSIE, e.g. single central register), 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,
- 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.

6.4 Special categories of data

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 Foundation;
- 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 only, including because:

- 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:
 - the safeguarding of children or vulnerable people; or
 - to prevent or detect unlawful acts; or
 - 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 Foundation (or to establish the truth of any such allegations); or

- or 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 (e.g. in respect of Covid-19 (or in similar circumstances)); or
- it is necessary for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you.

7. 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.

8. Sharing your information with others

For the purposes referred to in this Privacy Notice and relying on the grounds for processing as set out above, we may share your personal data with certain third parties. We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- other employees, agents, and contractors (e.g. third parties processing data on our behalf as part of administering IT systems, educational platforms, catering services etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- relevant government authorities (e.g. Department for Education, HMRC, police, Home Office, Prevent, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies (e.g. the Independent Schools Inspectorate, the Charity Commission etc.);
- other schools or departments within the Foundation where appropriate;
- educational and examining bodies;
- health authorities and medical professionals, including the school's designated medical officer and therapists;
- external auditors or inspectors;
- IT service providers;
- Third parties and their advisers in certain situations where we establish new working relationships or partnerships, either within the UK or internationally;
- our advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants;
- when the school is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or Police.
- future schools, colleges, and universities that the pupil may attend;
- otherwise, where reasonably necessary for the operation of the Foundation and its educational and pastoral obligations.

We may also share information about you with other education providers in the form of a reference, where we consider it appropriate, or if 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.

9. How long your information is kept

Subject to any other notices that we may provide to you, we may retain your personal data for a period of no earlier than six years after your contract has expired or been terminated. However, some information may be retained for longer than this, for example incident reports and safeguarding files, in accordance with specific legal requirements. Please see our Retention of Records policy.

10. Your rights

You have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us (in certain circumstances) to erase your personal data;
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. The Foundation will endeavour to respond to any such requests as soon as is reasonably practicable and in any event within statutory time-limits (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at www.ico.org.uk.

11. Responsibility and data protection

The Foundation has appointed a Data Protection Officer who will deal with all requests and enquiries concerning the Foundation's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. The Data Protection Officer can be contacted on dataprotection@lsf.org

12. Contact and complaints

If you have any queries about this Privacy Notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact the Data Protection Officer by emailing dataprotection@lsf.org or writing to 3 Burton Walks, Loughborough, Leicestershire, LE11 2DU

If you are not satisfied with how we are processing your personal data, or how we deal with your complaint, you can make a complaint to the Information Commissioner: www.ico.org.uk. The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral.

13. This notice

The Foundation will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.