LEICESTER GRAMMAR SCHOOL TRUST

Data Privacy Notice And Annexes

Who we are

Leicester Grammar School Trust is a registered charity (charity reference 510809) and company limited by guarantee (company reference 1521751) which operates the following three schools ("the schools"):

- Leicester Grammar School;
- Leicester Grammar Junior School;
- LGS Stoneygate.

Leicester Grammar School Trust ("The Trust") operates alumni associations for the schools, employs staff who work at the schools and contracts with suppliers who provide goods and services to the schools. The Trust has a wholly owned subsidiary company LGS Enterprises Ltd (company reference 6419726) which hires out facilities at the school sites.

What this privacy notice is for

This policy is intended to provide information about how the Trust will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").

This privacy notice covers all activities carried out by the Trust and its three schools and also activities carried out by the Trust's wholly owned subsidiary company and is applicable to all members of the school community, past and present.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Data Privacy Notice and understand the Trust's obligations to its entire community.

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

Anyone who works for, or acts on behalf of, the Trust (including staff, volunteers, Trustees and service providers) should also be aware of and comply with this Privacy Notice and annexes, which provides information about how personal data about those individuals will be used.

Responsibility for data protection

The Trust is the Data Controller for the purposes of the relevant legislation. The Trust has appointed the Operations Manager as the Privacy and Compliance Officer who will deal with all your requests and enquiries concerning the Trust'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.

Why the Trust needs to process personal data

In order to carry out its ordinary duties to staff, pupils and parents, the Trust needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

Some of this activity the Trust will need to carry out in order to fulfil its legal rights, duties or obligations including those under a contract with its staff, or parents of its pupils.

Other uses of personal data will be made in accordance with the Trust's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The Trust expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- for the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- to provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- for the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- to enable relevant authorities to monitor the performance of the schools operated by the Trust and to intervene or assist with incidents as appropriate;
- to give and receive information and references about past, current and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend; and to provide references to potential employers of past pupils;
- to enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the school;
- to safeguard pupils' welfare and provide appropriate pastoral care;
- to monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use policy;
- to make use of photographic images of pupils in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on taking, storing and using images of children;
- for security purposes, and CCTV in accordance with the Trust's CCTV policy;
- to carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- where otherwise reasonably necessary for the Trust's purposes, including to obtain appropriate professional advice and insurance.

In addition, the Trust will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:

- to safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- to provide educational services in the context of any special educational needs of a pupil;

- to provide spiritual education in the context of any religious beliefs;
- in connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- as part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

Types of personal data processed by the Trust

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use our car parking facilities);
- bank details and other financial information, e.g. about parents who pay fees to the school;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- references given or received by the school about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children).

HOW THE TRUST COLLECTS DATA

Generally, the Trust receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE TRUST SHARES IT WITH

Occasionally, the Trust will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, HR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner.

For the most part, personal data collected by the Trust will remain within the Trust, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the school nurse, staff administering first aid and appropriate senior pastoral staff, or otherwise in accordance with express consent; and • pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, pupils and parents are reminded that the Trust is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the Trust's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

HOW LONG WE KEEP PERSONAL DATA

The Trust will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from the Trust. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Operations Manager. However, please bear in mind that the Trust will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

KEEPING IN TOUCH AND SUPPORTING THE TRUST

The Trust will use the contact details of parents, alumni and other members of the school community to keep them updated about the activities of the Trust's schools, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the Trust will also:

- share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the Old Leicestrians and the Stoneygate alumni association;
- contact parents and/or alumni by post and email in order to promote and raise funds for the Trust;
- should you wish to limit or object to any such use, or would like further information about them, please contact the Operations Manager in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the Trust is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

YOUR RIGHTS

Rights of access, etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the Trust and in some cases ask for it to be erased or amended or have it transferred to others, or for the school to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Trust's Operations Manager.

The Trust will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).

The Trust will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the Trust may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The Trust is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the Trust itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

Pupil requests

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the Trust, they have sufficient maturity to understand the request they are making (see section **Whose Rights?** below). A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's: for older pupils, the parent making the request may need to evidence their child's authority for the specific request.

Pupils in year 8 or above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

Parental requests, etc.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The Trust may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children in accordance with the Parent Contract. Where parents are separated, the school will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

Consent

Where the Trust is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the Trust may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the Trust will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the Trust relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the school will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare. That is unless, in the school's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the school may be under an obligation to maintain confidentiality unless, in the school's opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with the school's IT: Acceptable Use policy and the school rules. Staff are under professional duties to do the same covered under the relevant staff policy.

DATA ACCURACY AND SECURITY

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the Operations Manager of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the school may need to process your data, of who you may contact if you disagree.

The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

The school 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.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Operations Manager, Leicester Grammar School, London Road Great Glen Leicestershire LE8 9FL, 0116 259 1900. Or via lgsreception@leicestergrammar.org.uk .

Individuals may make a complaint regarding the handling of their personal data. Complaints should be submitted to the Operations Manager. The Trust will acknowledge complaints within 30 days, provide progress updates where appropriate, maintain records of complaints and provide an outcome without undue delay. Individuals retain the right to complain to the Information Commissioner.

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the school complaints procedure (Parents) or the grievance procedure (staff) and should also notify the Operations Manager. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

ANNEXES

Additional information is available relating to the following groups -

Annex 1 – pupil privacy notice, for pupils in years 8 and above at Leicester Grammar School and LGS Stoneygate
Annex 2 – data privacy notice for employees of Leicester Grammar School Trust
Annex 3 – data privacy notice for individuals applying to work for Leicester Grammar School Trust

DATA PRIVACY NOTICE – ANNEX 1

Pupil privacy notice, for pupils in years 8 and above
at Leicester Grammar School and LGS Stoneygate

This document should be read alongside the Trust's main Data Privacy Notice.

This privacy notice will be provided to you and will also be made available on the website of Leicester Grammar School and LGS Stoneygate ("the School") for you to access.

Data will be processed for the purposes of allowing you to make the best of your time at the School. The School will therefore have what is called a "legitimate interest" for processing basic personal data and sensitive personal data. The data the School holds will be the minimum it requires to allow you to thrive in your years here.

The School will share your data with the following companies who have contracts with the School and who have equalled the School's precautions, systems and procedures for dealing with data, these are:

- catering contractor;
- photographer;
- health care service provider;
- IT Contractor;
- IT software provider.

It is not necessary for data to be shared with other countries. The exception to this will be international trips that the school organises. Should this be envisaged for you, you and your parent will be contacted for your consent; the consent will be limited in time and content if it is required.

The retention period for pupil data will be until you reach the age of 25.

You have the right to withdraw your consent to data processing at any time, however this will only apply to certain groups of data for which you have given particular consent.

Should you have any questions regarding this statement, please contact the Trust's Operations Manager on 0116 259 1900.

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO. The ICO helpline is 0303 123 1113.

We will obtain the data the school requires from you, should we need data from other sources we will contact you.

We see the provision of personal data as necessary to properly manage your time at the School and for the School to fulfil its obligations to you.

There is no automated decision making or profiling involved handling this data.

DATA PRIVACY NOTICE – ANNEX 2 for employees of Leicester Grammar School Trust

This document should be read alongside the Trust's main Data Privacy Notice.

This document demonstrates our commitment to protecting the privacy and security of your personal information. It contains information regarding how we collect and use personal data or personal information about you in accordance with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

Pursuant to that legislation, when processing data we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you;
- only use it in the way that we have told you about;
- ensure it is correct and up to date;
- keep your data for only as long as we need it;
- process it in a way that ensures it will not be lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate).

Leicester Grammar School Trust is a "data controller". This means that we are responsible for determining the purpose and means of processing personal data relating to you.

"Personal data", or "personal information", means any information relating to an identified or identifiable individual in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

There are "special categories" of sensitive personal data, meaning data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, genetic data, and data which require a higher level of protection.

This data protection compliance statement (privacy notice) applies to current and former employees, workers and contractors.

DETAILS OF INFORMATION WE WILL HOLD ABOUT YOU

The list below identifies the kind of data that we will hold about you:

- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- date of birth;
- your photograph;
- gender;
- marital status;
- dependents, next of kin and their details;
- national Insurance number;
- bank account details, payroll records and tax codes;
- salary, pension and benefits information;
- leave records including annual leave, family leave, sickness absence etc;
- start date;
- location of employment or workplace;
- copy of driving licence;
- information included on your application form including references, education history and employment history;
- documentation relating to your right to work in the UK;
- information which forms part of the Trust's safeguarding checks including DBS details and prohibition from teaching checks;
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin;
- medical or health information including whether or not you have a disability;
- current and previous job titles, job descriptions, pay grades, training records, hours of work, professional membership and other terms and conditions relating to your employment with us;
- compensation history;
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures and appraisal forms;
- information and relevant communications regarding disciplinary and grievance issues;
- CCTV footage and other information obtained through electronic means such as building entry system records; • information about your use of our information and communications systems.

The following list identifies the kind of data that that we will process and which falls within the scope of "special categories" of more sensitive personal information:

- information relating to your race or ethnicity, religious beliefs, sexual orientation, sex life and political opinions;
- trade union membership;
- information about your health, including any medical conditions and disabilities;
- information about criminal convictions and offences.

METHOD OF COLLECTION OF PERSONAL INFORMATION

Your personal information is obtained through the application and recruitment process; this may be directly from candidates, via an employment agency or a third party who undertakes background checks. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence. Data may be collected during the course of your engagement with us to enable its continued existence or development.

Personal data is kept in personnel files or within our HR and IT systems.

PROCESSING INFORMATION ABOUT YOU

We will only administer personal information in accordance with the lawful bases for processing. At least one of the following will apply when we process personal data:

- consent: You have given clear consent for us to process your personal data for a specific purpose;
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract;
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations);
- vital interests: The processing is necessary to protect someone's life;
- public task: The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law;
- legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests.

LAWFUL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

We consider that the basis for which we will process the data contained in the list above (see section above - details of information we will hold about you) is necessary for the performance of the contract we have with you and to enable us to comply with our legal obligations. Occasionally, we may process personal information about you to pursue legitimate interests of our own or those of third parties, provided there is no good reason to protect your interests and your fundamental rights do not override those interests.

The circumstances in which we will process your personal information are listed below.

- making decisions about who to offer initial employment to, and subsequent internal appointments, promotions etc;
- responding to requests from third parties such as a reference request or mortgage approval etc;
- making decisions about salary and other benefits;
- providing contractual benefits to you;
- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained;
- effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises;
- offering a method of recourse for you against decisions made about you via a grievance procedure;
  • assessing training needs;

- implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments;
- gaining expert medical opinion when making decisions about your fitness for work;
- managing statutory leave and pay systems such as maternity leave, pay etc.;
- business planning and restructuring exercises;
- dealing with legal claims made against us;
- preventing fraud;
- ensuring our administrative and IT systems are secure and robust against unauthorised access; • in order to fulfil the Trust's safeguarding obligations.

There may be more than one reason to validate the reason for processing your personal information.

LAWFUL BASIS FOR PROCESSING "SPECIAL CATEGORIES" OF SENSITIVE DATA

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- consent: You have given clear consent for us to process your personal data for a specific purpose;
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract;
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations) and meets the obligations under our data protection policy;
- vital interests: The processing is necessary to protect someone's life;
- public task: The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law and meets the obligations under our data protection policy. (For example in the case of equal opportunities monitoring);
- legitimate interests: The processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests (For example to assess your capacity to work on the grounds of ill health).

Occasionally, special categories of data may be processed where you are not capable of giving your consent, where you have already made the information public or in the course of legitimate business activities or legal obligations and in line with the appropriate safeguards.

Examples of the circumstances in which we will process special categories of your particularly sensitive personal information are listed below (this list is non-exhaustive):

- in order to protect your health and safety in the workplace;
- to assess your physical or emotional fitness to work;
- to determine if reasonable adjustments are needed or are in place;
- to monitor and manage sickness absence, family leave or other absences from work (including time off for dependents);
- to administer benefits;
- In order to fulfil equal opportunity monitoring or reporting obligations; • in order to fulfil the Trust's safeguarding obligations.

Where appropriate, we may seek your written authorisation to process special categories of data. Upon such an occasion we will endeavour to provide full and clear reasons at that time in order for you to make an informed decision. In any situation where consent is sought, please be advised that you are under no contractual obligation to comply with a request. Should you decline to consent you will not suffer a detriment

INFORMATION ABOUT CRIMINAL CONVICTIONS

Information regarding criminal convictions may be processed in accordance with our legal obligations. Occasionally we may process such information to protect yours, or someone else's interests and you are not able to give your consent or we may process such information in cases where you have already made the information public. Such information may be sought as part of the recruitment process or in the course of your employment with us.

We anticipate that we will process information about criminal convictions.

AUTOMATED DECISION-MAKING

We do not anticipate that any of our decisions will occur without human involvement. Should we use any form of automated decision making we will advise you of any change in writing.

SHARING DATA

Your data will be shared with colleagues within the Trust where it is necessary for them to undertake their duties. This includes, for example, the Head and Operations Manager for their management of you, the HR department for maintaining personnel records and the Finance department for administering payment under your contract of employment.

It may be necessary for us to share your personal data with a third party or third party service provider (including, but not limited to, contractors, agents or other associated/group companies) within, or outside of, the European Union (EU). Data sharing may arise due to a legal obligation, as part of the performance of a contract or in situations where there is another legitimate interest (including a legitimate interest of a third party) to do so.

The list below identifies which activities are carried out by third parties on our behalf:

- pension providers/administrators;
- IT services;
- legal advisors;
- security;
- insurance providers;
- DBS checks.

Data may be shared with 3rd parties in the following circumstances:

- in the process of regular reporting activities regarding our performance;
- with regards to a business or group reorganisation, sale or restructure;
- in relation to the maintenance support and/or hosting of data;
- to adhere with a legal obligation; • in the process of obtaining advice and help in order to adhere with legal obligations.

If data is shared, we expect third parties to adhere and comply with the GDPR and protect any data of yours that they process. We do not permit any third parties to process personal data for their own reasons. Where they process your data it is for a specific purpose according to our instructions.

We do not anticipate that we will transfer data to other countries.

DATA SECURITY

As part of our commitment to protecting the security of any data we process, we have put in place measures to avoid data being accessed, damaged, interfered with, lost, damaged, stolen or compromised. In cases of a breach, or suspected breach, of data security you will be informed, as will any appropriate regulator, in accordance with our legal obligations.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

DATA RETENTION

We anticipate that we will retain your data as part of the recruitment process for no longer than is necessary for the purpose for which it was collected.

We have given consideration to the following in order to decide the appropriate retention period:

- quantity;
- nature;
- sensitivity;
- risk of harm;
- purpose for processing;
- legal obligations.

At the end of the retention period, upon conclusion of any contract we may have with you, or until we are no longer legally required to retain it, it will be reviewed and deleted, unless there is some special reason for keeping it. Occasionally, we may continue to use data without further notice to you. This will only be the case where any such data is anonymised and you cannot be identified as being associated with that data

YOUR RIGHTS IN RELATION TO YOUR DATA

We commit to ensure that any data we process is correct and up to date. It is your obligation to make us aware of any changes to your personal information.

In some situations, you may have the:

- right to be informed. This means that we must tell you how we use your data and this is the purpose of this privacy notice;
- right to request access. You have the right to access the data that we hold on you. To do so, you should make a subject access request;
- right to request correction. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it;
- right to request erasure. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it;
- right to object to the inclusion of any information. In situations where we are relying on a legitimate interest (or those of a third party) you have the right to object to the way we use your data where we are using it;
- right to request the restriction of processing. You have the right to ask us to stop the processing of data of your personal information. We will stop processing the data (whilst still holding it) until we have ensured that the data is correct;

- right to portability. You may transfer the data that we hold on you for your own purposes;
- right to request the transfer. You have the right to request the transfer of your personal information to another party.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Trust's Operations Manager.

CONSEQUENCES OF YOUR FAILURE TO PROVIDE PERSONAL INFORMATION

If you neglect to provide certain information when requested, it may affect our ability to enter into or continue with an employment contract with you, and it may prevent us from complying with our legal obligations.

CHANGE OF PURPOSE FOR PROCESSING DATA

We commit to only process your personal information for the purposes for which it was collected, except where we reasonably consider that the reason for processing changes to another reason and that reason is consistent with the original basis for processing. Should we need to process personal information for another reason, we will inform you of this and advise you of the lawful basis upon which we will process.

Important note: We may process your personal information without your knowledge or consent, in compliance with the above rules (see above section - lawful basis for processing your personal information).

In the event that you enter into an employment contract with us, any information already collected may be processed further in accordance with our data protection policy, a copy of which will be provided to you.

QUESTIONS OR COMPLAINTS

Should you have any questions regarding this statement, please contact the Trust's Operations Manager on 0116 259 1900.

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

DATA PRIVACY NOTICE – ANNEX 3 for individuals applying for work within Leicester Grammar School Trust

This document should be read alongside the Trust's main Data Privacy Notice.

This document demonstrates our commitment to protect the privacy and security of your personal information. It contains information regarding how we collect and use personal data or personal information about you in advance of any employment relationship in accordance with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

Pursuant to that legislation, when processing data we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you;
- only use it in the way that we have told you about;
- ensure it is correct and up to date;
- keep your data for only as long as we need it;
- process it in a way that ensures it will not be lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate).

Leicester Grammar School Trust is a "data controller". This means that we are responsible for determining the purpose and means of processing personal data relating to you.

"Personal data", or "personal information", means any information relating to an identified or identifiable individual in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

There are "special categories" of sensitive personal data, meaning data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, genetic data, and data which require a higher level of protection.

This statement is applicable to job applicants. It is not intended to, neither will it, form part of any contract of employment or contract of services. We reserve the right to make changes to this statement at any time, if you are affected by substantial changes we will make an alternative statement available to you.

Where you are successful in your application and are appointed to a position you will receive details of our data protection compliance statement (privacy notice).

DETAILS OF INFORMATION WE WILL HOLD ABOUT YOU

The list below identifies the kind of data that we will process about you during the application process:

- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- date of birth;
- gender;
- your photograph;
- marital status and dependents;
- information included on your application form including references, education history and employment history;
- documentation relating to your right to work in the UK;

- national Insurance number;
- ID documents such as a copy of your driving licence; • evidence of qualifications or professional memberships.

The following list identifies the kind of data that we will process and which falls within the scope of "special categories" of more sensitive personal information:

- information relating to your race or ethnicity, religious beliefs, sexual orientation, sex life and political opinions;
- information about your health, including any medical conditions and disabilities;
- information about criminal convictions and offences.

HOW WE COLLECT YOUR PERSONAL INFORMATION

Your personal information is obtained through the application and recruitment process, this may be directly from candidates, via an employment agency or a third party who undertakes background checks. We may occasionally request further information from third parties including, but not limited to, previous employers or other background check agencies. And any further personal information that may be collected in the course of job-related activities throughout the period of you working for us in the event you become an employee.

PROCESSING INFORMATION ABOUT YOU

We will only administer personal information in accordance with the lawful bases for processing. At least one of the following will apply when we process personal data:

- consent: You have given clear consent for us to process your personal data for a specific purpose;
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract;
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations);
- vital interests: the processing is necessary to protect someone's life;
- public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law;
- legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests.

LAWFUL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

We consider that the basis for which we will process the data contained in the list above (see section above - details of information we will hold about you) is to enable us to consider whether we may wish to/prepare for entering into a contract or agreement with you and to enable us to comply with our legal obligations. Occasionally, we may process personal information about you to pursue legitimate interests of our own or those of third parties, provided there is no good reason to protect your interests and your fundamental rights do not override those interests.

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

- making a decision about your recruitment or appointment;
- making decisions about terms and conditions, salary and other benefits;

- checking you are legally entitled to work in the UK;
- assessing qualifications for a particular job or task;
- education, training and development requirements;
- complying with health and safety obligations;
- preventing fraud;
- in order to fulfill equal opportunity monitoring or reporting obligations;
- in order to fulfill the Trust's safeguarding obligations.

There may be more than one reason to validate the reason for processing your personal information.

LAWFUL BASIS FOR PROCESSING "SPECIAL CATEGORIES" OF SENSITIVE DATA

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- consent: You have given clear consent for us to process your personal data for a specific purpose;
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract;
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations) and meets the obligations under our data protection policy;
- vital interests: the processing is necessary to protect someone's life;
- public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law and meets the obligations under our data protection policy. (For example in the case of equal opportunities monitoring);
- legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests (For example to assess your capacity to work on the grounds of ill health).

Occasionally, special categories of data may be processed where you are not capable of giving your consent, where you have already made the information public or in the course of legitimate business activities or legal obligations and in line with the appropriate safeguards.

Examples of the circumstances in which we will process special categories of your particularly sensitive personal information are listed below (this list is non-exhaustive):

- in order to protect your health and safety in the workplace;
- to assess your physical or emotional fitness to work;
- to determine if reasonable adjustments are needed or are in place;
- in order to fulfill equal opportunity monitoring or reporting obligations;
- in order to fulfill the Trust's safeguarding obligations.

Where appropriate, we may seek your written authorisation to process special categories of data. Upon such an occasion, we will endeavor to provide full and clear reasons at that time in order for you to make an informed decision. In any situation where consent is sought, please be advised that you are under no contractual obligation to comply with a request. Should you decline to consent you will not suffer a detriment.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We will only collect criminal convictions data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the interview stage, however, may also be collected during your engagement should you be successful.

We may process such information to protect yours, or someone else's, interests and you are not able to give your consent or we may process such information in cases where you have already made the information public.

We anticipate that we will process information about criminal convictions.

ONLINE SEARCHES OF SHORT-LISTED CANDIDATES

We will conduct online searches of short-listed candidates using web browsers and social media sites. This is as additional verification of qualifications and employment history and to ensure there is no online presence in the last 5 years which shows you would be a risk to safeguarding or the reputation of the Trust. No personal data will be gathered during an online search. This data will usually be collected prior to an interview at the recruitment stage, however, may also be collected during your engagement should you be successful.

We may process such information to protect yours, or someone else's, interests and you are not able to give your consent or we may process such information in cases where you have already made the information public.

AUTOMATED DECISION-MAKING

We do not anticipate that any of our decisions will occur without human involvement. Should we use any form of automated decision making we will advise you of any change in writing.

SHARING DATA

Your data will be shared with individuals within the Trust where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department, those in the department where the vacancy is who are responsible for screening your application and interviewing you, the IT department.

It may be necessary for us to share your personal data with a third party or third party service provider (including, but not limited to, contractors, agents or other associated/group companies) within, or outside of, the European Union (EU). Data sharing may arise due to a legal obligation, as part of the performance of a contract or in situations where there is another legitimate interest (including a legitimate interest of a third party) to do so.

The list below identifies which activities are carried out by third parties on our behalf:

- pension providers/administrators;
- IT services;
- legal advisors;
- security;
- insurance providers;
- DBS checks.

Data may be shared with 3rd parties in the following circumstances:

- in relation to the maintenance support and/or hosting of data;
- to adhere with a legal obligation;
- in the process of obtaining advice and help in order to adhere with legal obligations.

If data is shared, we expect third parties to adhere and comply with the GDPR and protect any data of yours that they process. We do not permit any third parties to process personal data for their own reasons. Where they process your data it is for a specific purpose according to our instructions.

We do not anticipate that we will transfer data to other countries.

DATA SECURITY

As part of our commitment to protecting the security of any data we process, we have put in place measures to avoid data being accessed, damaged, interfered with, lost, damaged, stolen or compromised. In cases of a breach, or suspected breach, of data security you will be informed, as will any appropriate regulator, in accordance with our legal obligations.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

DATA RETENTION

We anticipate that we will retain your data as part of the recruitment process for no longer than is necessary for the purpose for which it was collected. We will keep your data for a maximum of six months after the closing date for the post you have applied for. We have given consideration to the following in order to decide the appropriate retention period:

- quantity;
- nature;
- sensitivity;
- risk of harm;
- purpose for processing;
- legal obligations.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months after the closing date for the post you have applied for.

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for up to one year after the closing date for the post you have applied for. At the end of this period, we will delete or destroy your data, unless you have already withdraw your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

At the end of the retention period, upon conclusion of any contract or agreement we may have with you, or until we are no longer legally required to retain it, it will be reviewed and deleted, unless there is some special reason for keeping it. Occasionally, we may continue to use data without further notice to you. This will only be the case where any such data is anonymised and you cannot be identified as being associated with that data.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate data protection compliance statement (privacy notice) for employees, workers and contractors which will be provided to you when applicable.

YOUR RIGHTS IN RELATION TO YOUR DATA

We commit to ensure that any data we process is correct and up to date. It is your obligation to make us aware of any changes to your personal information.

In some situations, you may have the:

Right to be informed. This means that we must tell you how we use your data and this is the purpose of this privacy notice.

- Right to request access. You have the right to access the data that we hold on you. To do so, you should make a subject access request;
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- Right to request erasure. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it;
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