

Privacy Notice – Contractors

Date: Aug 2024

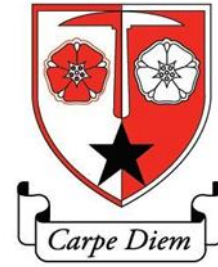
Review Date: Aug 2025

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Document owner: Audenshaw School

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T: 0161 336 2133 | E: admin@audenshawschool.org.uk



Introduction

Audenshaw School must collect and process personal data when we appoint a company as a contractor and provider of services to the school. Personal data will likely relate to key contacts of the company that the school liaise with and staff of the company that are contracted to carry out work.

This privacy notice outlines what personal data we collect, why we need it and how it is used. The school process all personal data in accordance with the UK General Data Protection Regulation (UK-GDPR) and Data Protection Act (2018).

Important Information: Any contractors and / or their staff that visit the school site should review our visitor privacy notice; information outlined in this document covers our contractual relationship with the company only.

Data Controller

The school is the 'Data Controller' for the personal information that we process in relation to contractors. This means that we are responsible for the data and make decisions on how it is used.

Data Protection Officer

The school has appointed a Data Protection Officer (DPO) who is responsible for overseeing compliance with the relevant data protection legislation. Our DPO provides support to the school and acts as the first point of contact for any questions or queries regarding data protection. Our DPO is Mrs Monks who can be contacted on:

T: 0161 336 2133 | E: monkss@audenshawschool.org.uk

The personal data that we process

Depending upon the type of agreement the school has with the contractor, some of all of the following categories of personal data will be processed:

- Names and contact details of key personnel that will liaise with and work with the school as part of the initial set up of the agreement and those conducting any work thereafter.
- Proof of key personnels appropriateness to conduct the work associated with the agreement. This includes but is not limited to:
 - CV
 - References
 - Proof of experience and qualifications
 - Accreditations (safe contractor etc)
 - Insurance
 - DBS and vetting checks
- Bank details to fulfil payments as per the agreement with the contractor; financial data will only be classed as personal data under the UK-GDPR if the contractor is a sole trader (data is identifiable to one person).
- Any other personal information necessary to fulfil the terms of a contract the school have with the supplier; work logs, correspondence, reports etc

In the event that an incident occurs involving contractor personnel, the school will process details of the incident and associated records. Particularly if the incident breaches school policy or the terms of the agreement between the school and contractor.

Why we need this data?

The school use this data to:

- Decide whether to engage with the contractor
- Fulfil the terms of our contract with the contractor
- Ensure a fair procurement process
- Meet the requirements of any tenders or bidding programs the school participates in
- Keep accurate records of the contractors the school use
- Ensure contractor personnel are adequate to perform the tasks associated with the agreement
- Keep the school, its buildings and assets and members of the school community safe

Lawful bases for processing the data

Under the UK-GDPR, the school must have a lawful basis to process personal data. In respect of contractors we will process personal data to meet a **contractual obligation**, namely data is processed to:

- Take steps to enter into a contract with your company
- Fulfil the terms of a contract that we have with your company

In addition, we must process personal data to meet a **legal obligation**. In relation to contractors this will typically include compliance with health and safety and safeguarding laws in respect of assessing the appropriateness of contractor personnel to perform their duties safely and in line with the law and school policies.

Special Category Data

The school does not routinely process 'special category data' about contractor personnel . Special category data is information that is much more sensitive in nature and therefore requires extra protection. Examples include details about an individual's health and wellbeing and special characteristics like gender, religion and ethnicity.

It is only anticipated that the school would process special categories of personal data about contractor personnel if:

- An accident or incident occurs involving contractor personnel whilst performing their duties
- The contractor informs the school of any health and wellbeing conditions about their personnel that the school need to be aware of

When processing special categories of personal data, the school is required to meet a further lawful basis from the UK-GDPR. It is expected that data would be processed:

- For reasons of **employment, social security and social protection** (recording and reporting accidents and providing reasonable adjustments for individuals with medical conditions)
- To protect the **vital interests** of the individual or a third party; protecting or saving the life of someone.

In the event that an accident or incident results in litigation involving; the school rely upon the following conditions to process contractor special categories of data:

- **Legal claims and judicial acts:** we must process special category personal data to fulfil court proceedings, obtain legal advice or establish or defend our legal rights in any way.
- **Substantial public interest (insurance):** we need to share details of an accident or incident with our insurers.

Who we share your personal information with?

The school will only share personal data if it is necessary to fulfil a legal or operational obligation. In certain circumstances, the school may be required to share contractor personal data with the following parties:

- Local Authority: if an incident has occurred and the school requires support
- The Department for Education: if relevant to the contractors role
- Ofsted and other auditors / regulators to assess compliance and best practice
- Regulators such as HSE and ICO if we need to report an incident
- Police and other emergency services if there is an incident

- Professional advisors if the school require legal assistance following an incident
- Insurance providers if the school is subject to a claim the contractor is party to
- Courts if the school and contractor are party to litigation
- Providers of software that the school use to store contractor data (financial management system, Microsoft etc)

The school perform strict checks on those third parties with whom we share data to ensure they are compliant with data protection law and meet the same high standards of security as expected by the school.

If we must share data, we take a minimalist approach to ensure only the necessary amount of information is provided. Data will not be transferred unless there is a secure method of exchange.

Freedom of Information

As a public authority, the school may be required from time to time to share information about contractors and the services that we procure to the public if a request is received under the Freedom of Information Act (FOIA). This helps to ensure the schools procurement process is transparent.

The FOIA provides exemptions to ensure that no personal data will be publicised as part of this process unless the school deem it reasonable to do so. Similarly, the school will not disclose any information that we deem to impact the commercial interests of the school and / or contractor.

Do we transfer your data internationally?

The school do not routinely transfer data outside of the United Kingdom. In the event that we must do so, we will ensure that any exchange of data is done so compliantly and with appropriate safeguards in place.

How we store and how long we keep your personal information?

To comply with the UK-GDPR, the school only keep personal data for as long as necessary to meet our legal and operational duties.

Our 'Records Management Policy & Retention Schedule' (available at our school office) outlines how long records are kept and how we determine and manage these periods. As a rule of thumb, contractor data will be kept for up to 6years.

Records kept in electronic format are stored securely on carefully selected databases and systems that are fully encrypted with password protection and two factor authentication utilised where available. Any physical records are kept in locked cabinets within locked offices and archive rooms; key access is strictly limited depending upon role.

School staff and those third parties accessing key pupil records are subject to DBS checks and strict confidentiality agreements.

What are your rights – Subject Access Requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

If a subject access request is made, and if the school do hold information, the school will:

- Give a description of it
- Explain why the school are holding and processing it, and how long the school will keep it for
- Explain where the school got it from, if not from the individual
- Explain who it has been, or will be, shared with
- Explain whether any automated decision-making is being applied to the data, and any consequences of this
- Supply a copy of the information in an intelligible form

There is also a right for an individual's personal information to be transmitted electronically to another organisation (Data Controller) in certain circumstances.

Other data protection rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. Individuals have the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent the data being used to send direct marketing

- Object to the use of personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the data protection officer (DPO). The school will provide a response to a request within one calendar month; a fee will not typically be charged. The school reserves the right to extend a request by a further two calendar months if we deem it to be complex, we will inform the individual within the first month with any intention to extend.

The school reserve the right to verify the identity of requesters where necessary.

Complaints

The school ask that any concerns regarding our use of personal data are raised with us in the first instance to help us resolve any issues. Complaints should be made directly to the DPO. Individuals can also complain to the Information Commissioners Office (ICO) if they are unhappy with how we are processing their personal data:

Information Commissioners Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline: 0303 123 1113 | Website: <https://www.ico.org.uk>

Last Updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in August 2024.

Privacy Notice – Visitors

Date: Aug 2024

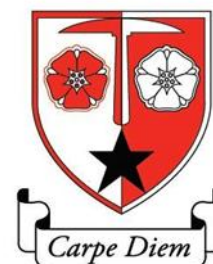
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Introduction

Audenshaw School must collect and process personal information (data) about you when you visit our site in order to effectively manage your visit and to meet the legal obligations placed upon us as an organisation and education provider.

This privacy notice outlines what data we collect about you when you visit our site, why we need it and how it is used. The school process all personal data in accordance with the UK General Data Protection Regulation (UK-GDPR) and Data Protection Act (2018)

Data Controller

The school is the 'Data Controller' for the personal information that we process about you. This means that we are responsible for your data and make decisions on how it is used.

Data Protection Officer

The school has appointed a Data Protection Officer (DPO) who is responsible for overseeing compliance with the relevant data protection legislation. Our DPO provides support to the school and acts as the first point of contact for any questions or queries regarding data protection. Our DPO is Mrs Monks who can be contacted on:

T: 0161 336 2133 | E: monkss@audenshawschool.org.uk

What personal data do we process about you, where we get it and why we need it?

All visitors to the school site must provide us with the following information upon arrival to help us meet our safeguarding and health & safety obligations.

All Visitors

All visitors to site will directly input the following information into the electronic visitor screen at reception:

- Full name to identify who you are.
- Contact details to correspond with you.
- The reason for your visit to verify the legitimacy of your attendance.
- Entry and exit times to meet our health and safety obligations if there is a fire or other emergency.
- Vehicle registration to effectively manage our parking provision and ensure only permitted cars are on site.

Once the above information is inputted, an image of you will be taken and printed onto an ID badge that you must wear for security and safeguarding purposes.

Depending upon the nature of your visit, we will ask you to provide us with the following information:

- A DBS certificate to meet our safeguarding requirements and ensure we comply with the statutory duties placed upon us as a school. We log your reference number and date of check only; we do not keep a copy of your DBS certificate.

CCTV

Closed Circuit Television (CCTV) is in place at the school site; the system will capture images of you when you visit us. CCTV helps us to ensure site security and supports in the prevention and detection of crime.

Incidents & Accidents

If an incident or accident occurs on site that you are party to, we will record the details to meet our health & safety and safeguarding obligations. Examples include completing accident forms and reporting more significant incidents to the emergency services and relevant governing bodies.

Lawful Bases and Purposes for Processing

Under the UK-GDPR, the school must have a lawful basis to process your personal data. Your data is primarily processed as the school has a **legal obligation** that requires us to process it, namely:

Single Central Record

The Department for Education (DfE) statutory guidance on safeguarding 'Keeping Children Safe in Education' states that all schools must produce and maintain a record of vetting checks for certain visitors and contractors attending and working on site. Details of visitors where necessary will be logged on the schools 'single central record' (SCR). The school must log basic identifiers such as name, contact details and reason for visit along with the dates and reference numbers of the relevant vetting checks.

Health & Safety

The school has a duty to keep a log of who is on site to keep you and other members of the school community safe under health and safety law and the fire safety regulations we must adhere to; if there is a fire or accident on site, we need to be aware of your presence on site.

Legal Claims

In the event that the school is subject to a legal claim to which you are a party to, we may need to process your personal data in the enactment or defence of that claim. For instance, if an accident or incident has taken place involving you.

Further lawful bases...

We use CCTV to enhance site security, keep members of the school community safe and to aid in the prevention and detection of crime. We are **performing a task in the interest of the public**.

In the unlikely event of an accident or incident on site that involves you, we may need to process your personal data in the act of protecting or saving your life or that of another person. For instance, if we provide your name and contact details to the emergency services. In such scenarios, we have a **vital interest** to process your personal data.

Special Category Data

The school does not routinely process 'special category data' about you when you visit our site. Special category data is information that is much more sensitive in nature and therefore requires extra protection. Examples include details about your health and wellbeing and special characteristics like gender, religion and ethnicity.

It is only anticipated that the school will process special categories of personal data about you if the following scenarios occur:

- An accident or incident occurs whilst you are on site, and we must fill out an accident form or process your data in the act of providing you with assistance.
- You inform us of any specific medical conditions or requirements that we need to be aware of to ensure we can accommodate your visit accordingly.

In such cases we are processing your personal data under the following lawful basis in respect of your special category data:

- **Substantial public interest:** we are processing your special category data to support you and meet our statutory obligations under the Health & Safety at Work Act (1974) and Equalities Act (2010).

Less commonly, we may need to rely upon the following lawful basis to process your special category personal data if the school is subject or party to a legal claim involving you:

- **Legal claims and judicial acts:** we must process your special category personal data to fulfil court proceedings, obtain legal advice or establish or defend our legal rights in any way.
- **Substantial public interest (insurance):** we need to share details of an accident or injury with our insurers.

Who we share your personal information with?

The school will only share your personal data if it is required to meet a legal obligation or an operational duty relating to visitor management.

The school routinely share visitor data with the provider of our electronic visitor management system which you will input your data directly into upon arrival at our reception.

We may share your personal data with external auditors who ensure good record keeping compliance. Auditors will typically attend site and your data will not be transferred out of the school.

If there is a significant accident or incident that you are party to whilst on school site, we may share your personal information with the following:

- Local Authority
- Police
- Emergency Services
- Governing Bodies (HSE, ICO etc)
- Professional Advisors
- Insurance Provider
- Courts

The school perform strict checks on those third parties with whom we share your data to ensure they are compliant with data protection legislation and meet the same high standards of security as expected by the school.

If we must share data, we take a minimalist approach to ensure only the necessary amount of information is provided. Data will not be transferred unless there is a secure method of exchange.

Do we transfer your data internationally?

The school do not routinely transfer visitor data outside of the United Kingdom, however some of the third parties with whom we share your personal data may store data on international servers. In such circumstances, we will ensure the relevant safeguards are in place and data protection standards are complied with fully.

How we store and how long we keep your personal information?

To comply with the UK-GDPR, the school only keep personal data for as long as necessary to meet our legal and operational duties.

Our 'Records Management Policy & Retention Schedule' (available at our school office) outlines how long visitor records are kept and how we determine and manage these periods. As a rule of thumb, general visitor data will be kept for up to 12months.

Your personal data is stored securely on site. Records kept in electronic format are stored securely on carefully selected databases and systems that are fully encrypted with password protection and two factor authentication utilised where available. Any physical records are kept in locked cabinets within locked offices and archive rooms; key access is strictly limited depending upon role.

School staff and those third parties accessing key pupil records are subject to DBS checks and strict confidentiality agreements.

What are your rights?

Under the UK-GDPR, you have a right to access the personal data that we hold about you by making a subject access request (SAR). If you make a SAR and we do process the data you have requested access to, we will:

- Give you a description of it.
- Explain why we are processing it and how long we will hold it.
- Explain where we collected the data if not from you.
- Outline if the data has been or will be shared with any other parties.
- Inform you if any automated decision making has been applied to the data and provide any consequences of this.
- Provide you with a copy of the data in an intelligible form.

Along with the right to access your personal data, you also have the following rights under the UK-GDPR:

- The right to ask us to rectify any personal information you feel is inaccurate or incomplete.
- The right to ask us to erase your personal data in certain circumstances.
- The right to ask us to restrict the processing of your personal data in certain circumstances.
- The right to object to the processing of your personal data in certain circumstances
- The right to ask us to transfer the personal data you provided to another organisation in certain circumstances.

If you would like to exercise any of your rights, please contact the school office in the first instance.

A response will be provided to you within one calendar month. The school reserves the right to extend the response time by a further two calendar months if your request is complex, we will however inform you of any intention to extend within the first month.

Complaints

If you have any concerns at all about how we process your personal data, please contact us in the first instance so that we can help resolve any issues.

You can also complain to the Information Commissioners Office (ICO) if you are unhappy with how we have used your data:

Information Commissioners Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline: 0303 123 1113 | Website: <https://www.ico.org.uk>

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