



CONTRACTORS

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the School may process a range of personal data about contractors as part of its daily operation.

Other uses of personal data will be made in accordance with the School'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 School expects that the following uses may fall within that category of its (or its community's) **"legitimate interests"**.

- To enable contractors to work safely on Malvern College campus;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- For security purposes, including CCTV in accordance with the School's CCTV policy; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This includes:

- Name;
- Photo ID;
- Telephone number;
- Company
- Trade
- DBS certificate (when conducting "unsupervised" work)

HOW THE SCHOOL COLLECTS DATA

Generally, the School receives personal data from the contractor directly. However, in some cases personal data may be supplied by the individual's Company.

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

Occasionally, the School will need to share personal information relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (DfE, ISC, ISI, HMRC, police or the local authority).

Otherwise, personal data collected by the School will remain within the School, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know basis'). Typically, this would be the Estates Office Team, the Bursary and Accounts staff and, for names and photo ID, members of Malvern College staff responsible for safeguarding in different areas of the School.

Contractors are reminded that the School 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 may 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 School'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 School will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Generally, the School will keep records of contractors for 10 years after the last job completed.

If you have any specific queries about how this 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 Data Compliance Officer dataprotection@malcol.org. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some data. Further detail can be found in the Information and Records Retention Policy and in the Document Retention Schedule.

YOUR RIGHTS

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended 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 Data Compliance Officer – dataprotection@malcol.org.

The School 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. You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege.

CONSENT

Where the School 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 School may 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 contract).

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 mis@malcol.org of any significant changes to important information 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 Senior Deputy Head using these contact details: Mrs Sarah Angus, Senior Deputy Head, Malvern College, College Road, Malvern. WR14 3DF.

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 notify the Data Compliance Officer (dataprotection@malcol.org). The School 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.

Updated May 2018