

Privacy

Thinking Fitness respects your rights to confidentiality and privacy and is committed to compliance with the General Data Protection Regulation. This notice explains what personal data (information) We hold, how We collect it, how We use it and how We may share information it.

Who are we?

The terms “Us”, “We” or “Our” are used to refer to Thinking Fitness which is part of The Thinking Schools Academy Trust We collect, use and are responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

The contact details for our Data Protection Officer are:

Mr. L. Miller
Data Protection Officer
Thinking Fitness
c/o Holcombe Campus,
Park Crescent,
Chatham,
Kent,
ME4 6NR

Telephone: +44 333 360 2000

Email: privacy@tsatrust.org.uk

Why do we collect and use your information?

We collect data to operate effectively and provide you the best experiences with products and services. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law. You provide some of this data directly, such as when you sign up for our services, login to our websites or systems, including using our wireless networks or administer your accounts.

We will obtain an amount of your personal data from you when you visit one of our locations or sites through the sign-in and safety procedures and when you are captured by our CCTV system.

If you place a telephone call or submit an enquiry via email or one of our website forms, we will receive your telephone number or email address or IP address, as well as any personal data you provide during the interaction.

We may also obtain information about you from our websites, online services and communication systems, including personal data supplied by your computer, and other information provided by you through the process of using the systems and services.

We may also obtain data from third parties. We protect data obtained from third parties according to the practices described in this statement, plus any additional restrictions imposed by the source of the data. These third-party sources vary over time, but have included:

- Other organisations within our business;
- Social networks when you follow/contact one of our social profiles;
- Partners with which we offer co-branded services or engage in joint marketing activities;

In some cases, your data will be outsourced to a third-party processor; however, this will only be done with your consent, unless we have another legal basis to share your data. If we do outsource your data to a third-party processor, the same data protection standards that we uphold are imposed on the processor.

Information about an individual collected by Thinking Fitness will only be used for the purpose for which it was provided. Personal information collected by Thinking Fitness will be processed and stored securely by Thinking Fitness and will be kept to a minimum. Information will only be retained for as long as is necessary to provide the requested service, following which the information will be disposed of securely.

Personal data we collect

The data we collect depends on the context of your interactions with Us, and the products and services you use. The data we collect can include the following:

- Personal information (such as name, addresses, telephone and email contact details, date of birth, language, nationality, country of birth, photographs, video, IP addresses and other similar personal data).
- Biometric information, when using our catering, health and wellbeing services (such as fingerprints, weight, height, BMI and other physical data)
- Authentication information (such as passwords, password hints and similar security information used for authentication and account access).
- Demographic data (such as your location and goals).
- Anonymous demographic information (such as browser type, domain names, access times, device information, geographic location, referring web site addresses and accessed web addresses);
- Payment data (such as bank account or credit card details including and the security codes), and other financial details;
- CCTV footage and images obtained when you attend one of our locations or sites; and
- Usage data (such as the devices or services you use).

We may also collect, hold, share and otherwise use some information about you which is special “special category personal data”, including:

- gender;
- ethnic group;
- health and medical information, which may include a doctor’s authorisation; and
- genetic information and biometric data.

Why do we use your personal data?

We will process your personal data for the following reasons:

- To provide you with access to the products or services that you have requested from Us;
- Where we are required by law, including to comply with legal requirements in relation to equalities non-discrimination;
- For Contact & Communication including allowing Us to communicate with you and personalise our communications with you. For example, we may contact you by phone, SMS, email or other means to provide you with information about the products / services that We offer, to inform you about incomplete sign up processes, to invite you to provide feedback, or to send you our newsletters;
- Where we are required by through our agreements with you to collect or make payments;
- For the operation of our business to develop aggregate analysis and business intelligence that enable Us to operate, protect, make informed decisions and report on the performance of our business;
- To conduct research about your opinion of current services, improve our services or of potential new services that may be offered; and
- Where we otherwise have your consent.

Why do we use special category personal data?

We may process special category personal data in relation to you for the following reasons:

- Where the processing is necessary in order to ensure your health and safety when on Our sites, including making reasonable adjustments for any disabilities you may have; and
- Where we otherwise have your explicit written consent.

There may also be circumstances where we need to use your information in relation to legal claims, or to protect your vital interests and where it is not possible to seek your consent.

Failure to provide this information

If you fail to provide information requested by Us, then we may not be able to provide you with access to the products or services requested, and We may be prevented from complying with our legal obligations.

How long will we hold your personal data for?

We will hold information relating to you only for as long as necessary. How long we need to hold on to any information will depend on the type of information we hold and the reasons which it was collected.

When you share your information with Us your data via one of our forms, you may be asked to opt whether you would like to receive communications from Thinking Fitness. All emails* we send will provide the option for you to unsubscribe from receiving marketing/informational communications. We may still contact you by email or phone in the event of emergency, or if there is important information related to the provision of the products or services you receive from Us.

Information for our Workforce

When you work for Us, we will use information that we gather in relation to them for various purposes. Information that we hold in relation to individuals is known as their “personal data”. This will include data that we obtain from the individual directly and data about the individual that we obtain from other people and organisations. We might also need to continue to hold an individual’s personal data for a period of time after they have left. Anything that we do with an individual’s personal data is known as “processing”.

What information do we process in relation to our workforce?

We will collect, hold, share or otherwise use the following information about our workforce:

- Personal information (such as name, address, home and mobile numbers, personal email address, employee or teacher number, national insurance number, and emergency contact details).
- Contract information (such as start dates, hours worked, post, roles and salary information, bank/building society details).
- Work absence information (such as number of absences and reasons (including information regarding physical and/or mental health), holiday records).
- Qualifications / training courses attended and, where relevant, subjects taught (such as training record).
- Performance information (such as appraisals and performance reviews, performance measures including performance management/improvement plans, disciplinary or grievance records).
- Other information (such as pension arrangements (and all information included in these necessary to administer them), time and attendance records, information in applications made for other posts within the school, criminal records information (including the results of Disclosure and Barring Service (DBS) checks), details in references the school receives or provides to other organisations, CCTV footage and images).
- Photographic and video images.

We may also collect, hold, share and otherwise use some information about you which is special “special category personal data”, including:

- gender;
- age;
- ethnic group;
- religious or similar beliefs;
- political opinions;
- trade union membership;
- information about health; and
- genetic information and biometric data.

Where do we get information from about our workforce?

Whilst the majority of the personal data you provide to the Us is mandatory, some is provided on a voluntary basis. When collecting data, the We will inform you whether you are required to provide this data or if your consent is needed.

However, we may also obtain information from tax and regulatory authorities such as HMRC, previous employers, your trade union, the DBS, our insurance benefit administrators, consultants and other professionals we may engage, recruitment or vetting agencies, other members of staff, students or their parents, and publicly available resources including online sources. In addition, we may obtain information from automated monitoring of our websites and other technical systems such as our computer networks and systems, CCTV and access control systems, communications systems, remote access systems, email and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

Why do we use this information?

We will process the personal data of our workforce for the following reasons:

- Where we are required by law, including:
 - To comply with the law regarding data sharing;
 - To comply with specific employment law requirements, including our obligations as an employer under employment protection and health and safety legislation, and under statutory codes of practice such as those issued by ACAS; and
 - To comply with legal requirements in relation to equalities and non-discrimination.
- Where we are required by any contract with our workforce, such as employment contracts, including:
 - To make payments to our workforce, such as salary payments;
 - To deduct tax and National Insurance contributions;
 - To make a decision about recruitment; and
 - To check individuals are legally entitled to work in the UK.
- Administering employment contracts;
- Conducting performance reviews;
- Making decisions about salary and compensation;
- Liaising with pension providers;
- Where the law otherwise allows Us to process the personal data, or we are carrying out a task in the public interest, including:
 - To enable the development of a comprehensive picture of the workforce and how it is deployed;
 - To inform the development of recruitment and retention policies;
 - To safeguard our pupils and other individuals;
 - To ensure safe working practices; and
 - In the interests of ensuring equal opportunities and treatment.
- To conduct research about your opinion of current services, improve our services or of potential new services that may be offered;
- Where we otherwise have the consent of the individual;
- To promote the work of The Thinking Schools Academy Trust;
- To document the work and history of The Thinking Schools Academy Trust.

The majority of processing of personal data for our workforce does not require consent, however, We will inform individuals if their consent is required and seek that consent before any processing takes place.

Why do We use special category personal data?

We may process special category personal data of our workforce for the following reasons:

- To carry out our legal obligations in relation to employment law, where this is in accordance with our Data Protection Policy;
- Where the processing is necessary for reasons of substantial public interest, including for purposes of equality of opportunity and treatment, where this is in accordance with our Data Protection Policy;
- For the purposes of preventative or occupational medicine in order to assess an individual's working capacity and/ or the need for reasonable adjustments; and
- Where We otherwise have an individual's explicit written consent – subject to the restriction set out above on the use of consent in an employment relationship.

There may also be circumstances where We need to use your information in relation to legal claims, or to protect your vital interests and where you are unable to provide your consent.

Failure to provide this information

If our workforce fails to provide information to Us then this may result in Us being unable to perform the employment contract, or We may be prevented from complying with our legal obligations.

How long will We hold information in relation to our workforce?

We will hold information relating to you only for as long as necessary. How long We need to hold on to any information will depend on the type of information based on Our policies.

Who We share workforce personal information with?

- Commissioned providers of services to Us;
- Professional advisors including legal, human resources, health and safety, and communications consultants;
- Subsidiaries and data processors, where necessary to provide essential systems and services required to ensure children continue to receive appropriate education provision, under contract to the Us;
- Other public organisations, where necessary, which may include Police, school nurses, doctors and mental health workers and the NHS;
- Third-party providers of information services (such as payroll, online application and human resource systems); and
- Contracted providers of services (such as photographers and catering providers).

Information for Applicants

As part of your application to join Thinking Fitness, we will gather and use information relating to you. Information that We hold in relation to individuals is known as their "personal data". This will include data that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold an individual's personal data for a period of time after the recruitment process, even if you are unsuccessful. Anything that we do with an individual's personal data is known as "processing".

What information do we process during your application process?

We may collect, hold, share and otherwise use the following information about you during your application process.

Up to and including shortlisting stage:

- Your name and contact details (i.e. address, home and mobile phone numbers, email address);
- Details of your qualifications, training, experience, duties, employment history (including job titles, salary, relevant dates and working hours), details of driving licence (if relevant for role), membership of professional bodies and interests;
- Your racial or ethnic origin;
- Information regarding your criminal record;
- Details of your referees;
- Whether you are related to any member of our workforce; and;
- Details of any support or assistance you may need to assist you at the interview because of a disability.

Following shortlisting stage, and prior to making a final decision

- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers*;
- Confirmation of your academic and professional qualifications (including seeing a copy of certificates) *;
- Confirmation via the DBS process, regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs), whether you are barred from working in regulated activity*;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information*;
- Medical check to indicate fitness to work*;
- A copy of your driving licence (or other appropriate documentation as listed on the Home Office list) *;
- If you are a teacher, we will check the National College of Teaching and Leadership (“NCTL”) Teachers Services about your teacher status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts and EEA teacher sanctions) *; and
- Equal opportunities’ monitoring data.

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked (*) above to Us to enable Us to verify your right to work and suitability for the position. Without providing Us with this information, or if the information is not satisfactory, then we will not be able to proceed with any offer of employment.

Where do we get information from about during your application process?

Depending on the position that you have applied for, we may collect this information from you, your referees (details of whom you will have provided), your education provider, any relevant professional body, the Disclosure and Barring Service (DBS), NCTL and the Home Office, during the recruitment process.

Why do we use this information?

We will process your personal data during your application process for the purpose of complying with legal obligations, carrying out tasks which are in the public interest, and taking steps with a view to entering into an employment contract with you. This includes:

- To assess your suitability for the role you are applying for;
- To take steps to enter into a contract with you;
- To check that you are eligible to work in the United Kingdom or that you are not prohibited from teaching; and
- To monitor applications for posts within Our businesses to ensure that we are fulfilling our obligations under the Equality Act 2010.

How long will we hold information in relation to your application?

We will hold information relating to your application only for as long as necessary. If you are successful then how long we need to hold on to any information will depend on type of information.

If you are unsuccessful we will hold your personal data only for six months, after which time it is securely deleted.

Who will we share information with about your application?

We will not share information gathered during your application process with third parties, other than professional advisors such as legal, human resources, occupational advisors.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Requesting access to your personal data

We will not disclose information without their consent unless the law and our policies allow Us to do so. We may need to disclose information where there is a legitimate reason for disclosure (such as a court order) but we will ensure that we always comply with the General Data Protection Regulation. Any information about you that we pass to a third party will be held securely by that party, in accordance with the General Data Protection Regulation, and used only to provide services or information you have requested.

Under the General Data Protection Regulation, you have rights which you can exercise free of charge which allow you to:

- Know what we are doing with your information and why we are doing it;

- Ask to see what information we hold about you (Subject Access Requests);
- Ask Us to correct any mistakes in the information we hold about you;
- Object to direct marketing;
- Make a complaint to the Information Commissioners Office; and
- Withdraw consent (if applicable).

Depending on our reason for using your information you may also be entitled to:

- Ask Us to delete information we hold about you;
- Have your information transferred electronically to yourself or to another organisation;
- Object to decisions being made that significantly affect you;
- Object to how we are using your information;
- Stop Us using your information in certain ways; and
- Ask Us to correct data we hold have about you.

To make a request for your personal information, contact our Data Protection Officer, using the details above.

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent Us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation. If you have a concern about the way The Thinking Schools Academy Trust is using your personal data, you can raise a concern with the Information Commissioner's Office who may also be able to help at <https://ico.org.uk/concerns/>.

Changes to our privacy policy

The Thinking Schools Academy Trust keeps the use of personal data under review. This page was last updated on 14th May 2018.