



# Privacy Notice Job Applicants

Spring 2023





## **Whinless Down Academy Trust**

### **Privacy Notice (Job Applicants)**

Under data protection law, individuals have a right to be informed about how our Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about individuals applying for jobs with our Trust.

#### **The categories of applicant information that we collect, process, hold and share include;**

- Name and address
- Email address and telephone number
- Equal opportunities monitoring information
- Nationality and entitlement to work in the UK
- National Insurance number
- Information about current salary and benefits
- Qualifications and skills
- Work experience, employment history, training records and professional memberships
- References
- Information in respect of criminal records (except those that are filtered in accordance with the DBS filtering rules)
- Disability status to enable the Trust/School to make any reasonable adjustments throughout the recruitment process.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

#### **Why we collect and use this information**

The Trust and its schools' processes data relating to applicants in order to:

- Enable management of the recruitment process
- Facilitate safer recruitment by ensuring compliance with legal obligations and Keeping Children Safe In Education.
- Ensure compliance with legal obligations in relation to the right to work in the UK
- Ensure a candidate's suitability and establish relevant experience and qualifications
- Enter into an employment contract with successful appointees
- Enable ethnicity and disability monitoring
- Ensure reasonable adjustments can be made for those applicants who have a disability
- Ensure that the recruitment process is fair and non-discriminatory

#### **The lawful basis on which we process this information**

You will be asked for your consent for the Trust/School to hold, process and share your personal data in relation to the recruitment process.

You are under no obligation to provide your consent. However, if you do not consent to the Trust/School holding, processing and sharing your personal data during the recruitment process, the Trust/School may not be able to process your application. In some cases, the Trust/School will need to process data to ensure that it is complying with its legal obligations. For example, the Trust/School must check an applicant's entitlement to work in the UK. Safer recruitment procedures in schools also require appropriate checks to be made on people who work with children. Where this is the case the following legal basis will apply:

#### **GDPR Article 6**

- Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- Processing is necessary for compliance with a legal obligation to which the controller is subject.

#### **GDPR Article 9**

- Processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection laws in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and interests of the data subject.
- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to collect the fundamental rights and interests of the data subject.

#### **Collecting this information**

We collect this information in a variety of ways. For example:

- Application forms
- Passport or other identity documents
- Forms completed as part of the recruitment process
- Correspondence
- Interviews, meetings or other assessments as part of the recruitment process.

In accordance with the Trust/School's safer recruitment obligations, the Trust/School will also collect personal information about you from third parties. This will include obtaining references from your previous employer and from third parties such as the Disclosure and Barring Services (DBS) to ensure the relevant safeguarding checks are completed.

#### **Storing this information**

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

If you are successful in being appointed, all personal data collected by the school will be processed and transferred to your personnel file.

If you are unsuccessful in your application, the school will retain your personal information for a period of six months after the end of the recruitment process.

#### **Who we share this information with**

Your personal data may be shared internally with other members of staff involved in the recruitment process in order for them to perform their roles. This can include members of the Trust Executive Team, School senior leadership teams, governors, trustees and HR.

We may also share your personal data with third parties. This can include when obtaining background checks as part of safer recruitment guidelines, pre-employment references, Occupational Health (Staff Care Services) and criminal records checks from DBS.

#### **Requesting access to your personal data**

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact the Trust Business Manager.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing damage or distress
- Prevent processing for the purpose of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- Claim compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns>

### **Further information**

If you would like to discuss anything in this privacy notice, please contact the Trust Business Manager in the first instance; [admin@prioryfields.kent.sch.uk](mailto:admin@prioryfields.kent.sch.uk)