Gomersal St Mary's CE Primary School

Privacy Notice for Job Applicants

Under UK data protection law, individuals have a right to be informed about how the school uses any personal data. The school complies with these requirements by providing privacy notices to inform individuals about how their personal data will be processed.

This privacy notice explains how the school collects, stores, uses and deletes personal data about anyone applying for a job at the school. This document is based on a variety of sources and has been tailored to the specific needs of the school.

1 What this Privacy Notice is for

Gomersal St Mary's CE Primary School collect, hold, use and share information about people applying for jobs. This is known as “personal data” and you have rights around that data, including knowing how and why we are processing the data. “Processing” data means collecting, storing, using, sharing or disposing of it.

For the purposes of Data Protection legislation Gomersal St Mary's CE Primary School is a data controller and is registered as such with the Information Commissioner’s Office (ZA189996). This means the school determines the purposes for which, and the manner in which, any personal data relating to the school’s job applicants is to be processed.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that the school upholds are imposed on the processor.

2 The types of job applicants’ information that we process

The types of job applicants’ information that the school collects, holds and shares include but are not restricted to the following:

- personal information (such as name and address).
- copies of right to work documentation.
- references.
- evidence of qualifications.
- employment records, including work history, job titles, training records and professional memberships.
- use of school devices and school networks as part of our safeguarding procedures.
- publicly available information about you, such as your online presence.

2.1 Special category data (sensitive information)

Some of the information that we collect is more sensitive or can be classified as special category data, this may include:

- characteristics information (such as gender and ethnic group).
- photographs and CCTV images.
- information about disability and access requirements.

We may also collect, use and store information about criminal convictions, offences and prohibitions. 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.

3 Why does the school collect and use your information?

The personal data collected is essential, in order for the school to fulfil its official functions and meet legal requirements. We use job applicants’ data to:

- process your application and correspond with you about it.
- assess whether you have the required skills, experience, qualifications and training.
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- enable equalities monitoring.

- ensure that appropriate access arrangements can be provided for candidates that require them.

3.1 The lawful basis for collection and use of personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing job applicants' information are:

- Article 6(a) - Your consent (for anything which does not fall into the purposes explained below).
- Article 6(c) - Compliance with our legal obligations, in particular, but not exclusively:
    - Section 538 of the Education Act 1996.
    - Keeping Children Safe in Education 2023 (statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002 etc).
    - Equality and Health & Safety legislation.
- Article 6(e) - Being necessary for us to carry out tasks that are in the Public Interest

The ways we collect and use sensitive job applicants' information are lawful based on:

- your explicit consent.
- for compliance with certain legal obligations, or for exercising certain legal rights.
- for protecting a person's vital interests in an emergency.
- for health and public health reasons.
- or for carrying out tasks that are in the substantial public interest including for safeguarding purposes.

3.2 Marketing purposes

Where you give us consent, we may send you marketing information by message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting us.

3.3 Automated decision making & profiling

We do not use any of your personal information to make automated decisions about you, or to profile you If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How we collect job applicants' information

You provide us with most of the personal data that we hold and use, for example in your written application, by completing any assessments and during any interviews.

Some of the personal data we hold and use about you is generated from internal sources during the recruitment process. For example, the person interviewing you may score your suitability for the role and we record the reasons for decisions made about whether or not your application is successful.

Some of the personal data about you that we hold and use may come from external sources. For example, where a recruitment agency provides us with a shortlist of candidates. If we shortlist you for interview, we will carry out pre-employment checks, such as taking up references from past employers or education providers and we may check your qualifications by contacting the awarding body. We may ask an occupational health professional to report to us on your fitness to do the job. We will seek a criminal record check from the DBS for successful candidates

5 How, where and for how long we store job applicants' information

We store job applicants' information securely on the School's IT network and cloud. Secure storage is provided for paper-based records.

We only keep the information for the length of time we need it for, as shown in our records management policy

We dispose of personal information securely when we no longer need it.

6 Sharing job applicants' information

The school does not share information about you with anyone without consent unless the law and school policies allow the school to do so.

Where it is legally required, or necessary (and it complies with data protection law) the school may share personal information about you with:

- The local authority – to meet our legal obligations to share certain information, such as, shortlisting candidates for a head teacher position.
- suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR and recruitment support.
- Professional advisers and consultants.
- employment and recruitment agencies.

6.1 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards.

6.2 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our school is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

6.3 Why we share job applicants' information

We share information about our job applicants when the law and our policies allow us to do so, or you have given us your consent to do so.

7 Requesting access to personal data and other rights

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 our Data Protection Officer via the school office.

You also have the right to:

- be informed about the collection and use of your personal data.
- have inaccurate personal data changed if it is inaccurate or completed if it is incomplete.
- Ask us to delete your personal information, often known as the 'right to be forgotten'; however, this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- restrict the way we are using your information, although, as above this is a limited right.
- object to the way we are using your information; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we do not carry out automated decision making or profiling.
- Finally, the right to complain about the way we use your personal information to the ICO, or to seek redress through the courts.

If you would like to request access to your data, or use any of the other rights listed above, please contact our Data Protection Officer via the school office.

8 Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us.
Any complaints received should receive a formal acknowledgement within 30 days and a response without undue delay. If you are not happy with our response, then you can raise a complaint with the Information Commissioner's Office, details of how to do this can be found here https://ico.org.uk/make-a-complaint/data-protection-complaints/

9 Contact us

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact the school office or Data Protection Officer.

- Call 01274 874550
- Email office@gsmcep.co.uk

Our Data Protection Officer is Data Tools for Schools Limited and they may be contacted via the school office.