Privacy Notice for Job Applicants

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Table of Contents

Who Collects this Information....3

Categories of Information We Collect, Process, Hold and Share....3

How We Collect this Information....4

How and Why We Use Your Information....4

How We Use Particularly Sensitive Information....4

Criminal Convictions....5

Sharing Data....5

Retention Periods....5

Security....6

Your Rights of Access, Correction, Erasure and Restriction....6

Right to Withdraw Consent....6

How to Raise a Concern....7

Changes to this Privacy Notice....7

Other Linked Policies....7

This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR

Successful candidates should refer to our privacy notice for staff for information about how their personal data is stored and collected.

Who Collects this Information

Ashley College is a "data controller" of personal data and gathers and uses certain data about you. This means that we are responsible for deciding how we hold and use personal information about you.

We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how we process your information and the procedures we take to protect your personal data.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

Categories of Information We Collect, Process, Hold and Share

We may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process: -

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;
- Details of your employment history including job titles, salary and working hours;
- Information regarding your criminal record as required by law to enable you to work with children;
- Details of your referees and references;
- Details collected through any pre-employment checks including online searches for data;

We may also collect information after the shortlisting and interview stage in order to make a final decision on where to recruit:

- Data 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;
- Data regarding your academic and professional qualifications;
- Data regarding your criminal record**,** in a criminal records certificate (CRC) or enhanced criminal records certificate (ECRC) as appropriate**;**
- Your nationality and immigration status and data from related documents, such as your passport or other identification and immigration information;
- A copy of your driving licence; and
- Data relating to your health.

How We Collect this Information

We may collect this information from you, your referees, your education provider, by searching online resources, from relevant professional bodies the Home Office and from the DBS.

How and Why We Use Your Information

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to take steps to enter into a contract with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- Where you have provided your consent for us to process your personal data.

Generally, the purpose of us collecting your data is to enable us to facilitate safe recruitment and determine suitability for the role. We also collect data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required.

If you fail to provide certain information when requested, we may not be able to take the steps to enter into a contract with you, or we may be prevented from complying with our legal obligations.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;

- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

Sharing Data

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following: -

- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
- Referees;
- Other schools;
- HR advisors and professional advisers;
- DBS; and
- Recruitment and supply agencies.
- Our Local Authority in order to meet our legal obligations for sharing data with it

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Usually, information will be anonymised but this may not always be possible. The recipients of the information will be bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.

Retention Periods

We keep the personal data that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your data will depend on whether your application is successful and you become employed by us, the nature of the data concerned and the purposes for which it is processed.

We will keep recruitment data (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment data that is necessary in relation to your employment.

Once we have finished recruitment for the role you applied for, we will then store your information in accordance with our Retention Policy. This can be found in the staff shared drive.

Security

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Details of these measures are available Data Protection Policy.

You can find further details of our security procedures within our Data Breach policy and our Information Security policy, which can be found in the staff shared drive.

Your Rights of Access, Correction, Erasure and Restriction

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Under certain circumstances by law you have the right to:

- Access your personal information (commonly known as a “subject access request”). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- Correction of the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected.
- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it.
- Restriction of processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please contact The School Business Manager in writing.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent,

please contact The School Business Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

How to Raise a Concern

We hope that The School Business Manager can resolve any query you raise about our use of your information in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by The School Business Manager, then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited
Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

Changes to this Privacy Notice

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new privacy notice when we make any substantial changes. We may also notify you in other ways from time to time about the processing of your personal information.

Other Linked Policies

GDPR
Data Breach
CCTV
Complaints
Data Retention
Freedom of Information