

Privacy notice for job applicants

Sutton Grammar School



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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing 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 at our school**.

Our Trust, Sutton Grammar School Trust, Manor Lane, Sutton SM1 4AS 020 8642 3821, is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Mrs. N. Bennett (see 'Contact us' below).

2. The personal data we hold

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, sex and sexual orientation, religious or similar beliefs;
- 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);*

- information 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 report on your social media presence;*
- 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.

If you are employed by us, the information we collect may be included on our Single Central Record. In this scenario, a further privacy notice in relation to data we collect, process, hold and share about you during your time with us, will be issued to you.

3. Why we use this data

We use the data listed above to:

- Enable us to establish relevant experience and qualifications
- 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 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or ‘opt out’ of receiving these emails and/or texts at any time by clicking on the ‘Unsubscribe’ link at the bottom of any such communication, or by contacting us (see ‘Contact us’ below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

4. Our lawful basis for using this data

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
- so that we are able to monitor applications for posts in the [Trust/Academy/School] to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010.

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

4.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

6. How we store this data

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. For further detail please see our Retention and Destruction Policy.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

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

7. Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

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

- We may share information gathered during your application process with the Local Authority, or professional advisors such as legal and HR advisors.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

9. 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 in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

➤ Mrs. N. Bennett, dpo@suttongrammar.school

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them: Mrs. N. Bennett, dpo@suttongrammar.school