

Recruitment Privacy Notice

Under data protection legislation, individuals have a right to be informed about how the School uses data. This privacy notice explains how and why we collect, store and use personal data about Job Applicants

We, Bishop Stopford School, are the 'Data Controller' for the purposes of data protection law. The School is registered as a Data Controller with the Information Commissioners Office (ICO). Our registration number is ZA263506

Our data protection officer is The Schools People (see 'Contact us' below).

Introduction

If you choose to apply for a post at Bishop Stopford School, we will collect and use information relating to your application. Information held in relation to an individual is known as "personal data". This will include data obtained directly from you and data about you that we obtain from other people and organisations in relation to your job application and the recruitment process.

This document sets out what personal data we collect and hold in relation to your application and the recruitment process, why we process this data and our lawful reason for doing so, the recipients of the data, and your rights in relation to the personal data we process.

Data Protection Principles

Personal Data must be processed following the six Data Protection Principles. It must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only if necessary, for the purposes we have told you about.
- Kept secure.

What information do we process during your application process?

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

Up to and including the shortlisting stage:

- your name and contact details (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.
- details of your referees.
- whether you are related to any member of our workforce

- CCTV images

We will also collect and process special category data, including:

- if disclosed, your racial or ethnic origin, sex, and sexual orientation, religious or philosophical beliefs.
- information regarding any criminal record.
- disability, health, or access requirements.

Following the short-listing stage, and prior to making a final decision

- References from previous employers and/or education providers including information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time, and attendance, *
- confirmation of your academic and professional qualifications; *
- information via the Enhanced DBS process including any cautions, warnings, reprimands, or criminal convictions and 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; *
- a pre-employment health check to assess fitness for the role*
- a copy of your driving licence (or other appropriate documentation as listed on the Home Office list); *
- if you are a teacher, the National College of Teaching and Leadership (“NCTL”) Teachers Services data 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.

Applicants are required (by law or to enter 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 – after the recruitment process - you are subsequently employed by us, a staff privacy notice in relation to data we collect, process, hold and share about you during your time with us, be issued together with your employment contract.

Where do we get information about during the recruitment process?

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

In addition, the School also uses CCTV cameras in and around the site for security purposes and the protection of staff, pupils, and other stakeholders.

While most of the information we collect during the recruitment process is mandatory, there is some information that may be provided voluntarily. Whenever we seek to collect information from job applicants, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying. If you fail to provide certain mandatory information when requested, we may be prevented from complying with our official or legal obligations (e.g., such as seeking relevant background checks).

Why do we use this information?

We will process your personal data 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:

We collect information to safeguard our stakeholders, promote the objects and interests of the School, facilitate the efficient operation of the School and ensure that all relevant legal obligations are complied with. For example, we collect data to:

- Deciding on whether to appoint you
- Checking your suitability to be an employee of the School
- Facilitating safe recruitment, as part of our safeguarding obligations towards students
- Identifying you and safely evacuating the School in the event of an emergency
- Enabling equalities monitoring
- Ensuring us that appropriate access arrangements can be provided for those who require them
- Sending you communications concerning your job application
- Complying with health and safety obligations
- Monitoring recruitment statistics
- Receiving advice from external advisors and consultants
- Responding to and defending legal claims

Where appropriate, we will ask for consent to process personal data where there is no other lawful basis for processing it. For example, where we wish to ask your permission to use your information for marketing purposes. Consent given in these circumstances may withdraw at any time.

Our Lawful Basis for Using This Data

We only collect and use personal data when the law and our policies allow us to do so. We process general category data where:

- The data subject, or a person with the lawful authority to exercise consent on the data subject's behalf, has given explicit consent
- Processing is necessary for a contract we have with you, or because it is necessary to take steps before entering into a contract with you.
- Processing is necessary for us to comply with a legal obligation
- Processing is necessary to protect your vital interest or that of another person.
- Processing is necessary for us to perform a task in the public interest or for our official functions, and this task or function is lawful.

We process special category data where

- The data subject, or a person with the lawful authority to exercise consent on the data subject's behalf, has given explicit consent
- Processing is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent
- The processing relates to personal data which are manifestly made public by the data subject
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- Processing is necessary, to assess the working capacity of the employee or to obtain a medical diagnosis.

- Processing is necessary for reasons of substantial public interest, based on 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 safeguard the fundamental rights and the interests of the data subject
- Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify our use of this data.

Criminal Proceedings/Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations as School and to safeguard our students and other stakeholders, and if we do so in line with the data protection legislation.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions becomes known because of the recruitment process and a disclosure by the job applicant or during pre-employment checks including Disclosure and Barring Service checks.

Such information will only be processed to the extent that it is lawful to do so, and appropriate measures will be taken to keep the data secure.

Consent

We may process your personal information without your knowledge or consent, in compliance with the above lawful bases where this is required or permitted by law and our policies.

We will ask for consent to process personal data where there is no other lawful basis for processing it. If we do request your consent, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Where we rely solely on your consent as a lawful basis for processing, you have the right to withdraw consent at any time. Withdrawal of consent does not affect the legitimacy of the processing undertaken before consent being withdrawn.

CCTV

We use CCTV in various locations around the School site. The purpose of the system is to prevent crime and promote security and public safety. If in the event of viewing CCTV for the specified purpose, a safeguarding or criminal action is observed, CCTV can and may be used to support any subsequent investigation.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are visible and accompanied by prominent signs explaining that CCTV is in use. If in the event of viewing CCTV for the specified purpose, disciplinary or criminal action is observed, the CCTV images can and may be used to support a disciplinary and/or criminal investigation.

CCTV images will be retained for up to 14 days. After this period images will be permanently deleted unless they are required and retained for an ongoing investigation. For example, if an incident or crime

has been recorded. In such cases, the images will be securely stored until the conclusion of any actions or criminal proceedings arising from the incident.

Change of Purpose

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

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so, or seek your consent if necessary, before the processing.

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

We will hold information relating to your application for as long as necessary to fulfil the purpose for which it was obtained, including satisfying any legal, accounting, insurance or reporting requirements.

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

If you secure a post with us, then we will retain data in line with the 'Information and Records Management Society's: Academies Toolkit (2019) retention schedule.

Who will we share information about your application?

We do not share information about Job Applicants with anyone without consent unless the law and our policies allow us to do so.

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

- HR
- The recruitment/interview panel
- The line manager for the area with the vacancy
- IT manager if access to the data is necessary for them to carry out their roles

If you are successful in being offered the post the Academy will share your data with employment background check providers, the Disclosure and Barring Service and our Occupational Health provider to obtain necessary background, criminal records, and health checks.

Transferring Data Outside The EEA

We do not routinely share data with organisations outside the EEA.

We will not transfer personal data outside the European Economic Area (EEA) unless such a transfer complies with the GDPR. This means that we cannot transfer any personal data outside the EEA unless:

- The EU Commission has decided that another country or international organisation ensures an adequate level of protection for personal data.
- One of the derogations in the GDPR applies (including if an individual explicitly consents to the proposed transfer).

Rights in relation to your personal data

Under data protection legislation you have the right to:

- Make a Subject Access Request (SAR) (see below)
- Withdraw your consent to the processing at any time
- Ask us to rectify, erase or restrict the processing of your personal data, or object to the processing of it (in certain circumstances).
- Prevent use of your personal data for direct marketing
- Challenge processing which has been justified based on public interest
- Request a copy of agreements under which your personal data is transferred outside of the European Economic Area (the School does not routinely transfer data outside the EEA)
- Object to decisions based solely on automated decision making or profiling. (The School does not engage in automated decision making or profiling)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for your personal data to be transferred to a third-party in a structured, commonly used, and machine-readable format (in certain circumstances).

Your Duty to Inform us of Changes

The personal information we hold about you must be accurate and current. Please keep us informed if your personal information changes during the recruitment process.

Subject Access Requests (SAR)

Under data protection legislation, individuals have the right to request access to their personal data held by the Academy. Subject Access Requests **may be** made to the Academy in written form or verbally.

If you would like to make a SAR in relation to your own personal data it would be helpful if this could be made in writing to the office manager by emailing kkkilborn@bishopstopford.com, to include:

- name and contact address
- email address and telephone number
- details of the information required.

A helpful '**Guide to Making A Subject Access Request**' is available from the office, or as a download from the website. It **is not** mandatory to make a Subject Access Request using the form within. It will, however, assist you in structuring your SAR to provide the information necessary to ensure we can action your request without delay.

Fulfilling Access Request

The lawful time scales for the Academy to respond to a Subject Access Request is one calendar month from receipt of a '**valid**' SAR.

A SAR is only considered '**valid**' when we are fully satisfied regarding the identity of the requester and their entitlement to the data requested. If there is any doubt we will request confirmation of identity to ensure your personal data is not inadvertently released to a third-party who is not entitled to it.

If the SAR is complex or numerous, the period to which we must respond may be extended by a further two months. You will be notified of any delays in actioning the SAR and provided with a timeframe in which you can expect to receive the requested data.

Fees

You will **not** have to pay a fee to access your personal information (or to exercise any of your other data subject rights). However, we may charge a reasonable fee if your access request is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Exercising Other Data Subject Rights

If you wish to review, verify, correct, or request the erasure of your personal information; object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the School in the first instance (details below).

The Right to Withdraw Consent

Where you may have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, and there is no other applicable lawful basis for processing the data, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the School (details below).

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.

Concerns

We take any concerns or 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.

If you have any concerns that we are not able to resolve to your satisfaction you can contact our Data Protection Officer at the address below

Alternatively, you can register your concern with the UK's data protection regulator - the Information Commissioner's Office:

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

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:

Data Protection Officer: Dee Whitmore

Email: DPOService@schoolspeople.co.uk

Tel: 01773 851078

Address: The Schools People
44 Tyndall Court
Peterborough

PE2 6LR

Data Controller: Bishop Stopford School
Headland
Kettering
NN15 6BJ

Office Manager: Mrs K Kilborn
Email: KKilborn@Bishopstopford.com
Tel: 01536 503503

Changes to this Privacy Notice

This Notice will be reviewed annually or as necessary in relation to changes in Data Protection legislation.

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 updates.

We may also notify you in other ways from time to time about the processing of your personal information.

Effective Date: May 2018
Last update: November 2020
Review Date: November 2021