



Privacy Notice for Job Applicants (14/04/22)

Under data protection legislation, individuals have a right to be informed about how the 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 and why we collect, store and use personal data about Job Applicants

We, Lea Nursery 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 **Z8647020**.

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

1. Types of Job Applicant Information we Collect.

The categories of Job Applicant information that we may collect, process, hold, and share includes, but is not limited to:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- medical details, N.I. number;
- information about your entitlement to work in the UK

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This may include information about (where applicable):

- Race, ethnicity, religious or philosophical beliefs, sexual orientation and Trade Union membership
- Disability, health and access requirements

2. Why we Collect and use Job Applicant Information

The purpose of processing Job Applicant personal data is to support the school in:

- Making a decision 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 pupils
- Identifying you and safely evacuating the School in the event of an emergency
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for job applicants who require them
- Sending you communications in relation to your job application
- Complying with health and safety obligations
- Maintaining and promoting equality
- Monitoring recruitment statistics
- Receiving advice from external advisors and consultants
- Responding to and defending legal claims

3. The Lawful Bases on which we Process Personal Data

We process general personal data under:

- Article 6 (1)(a) of the GDPR. Where we have the consent of the data subject;
- Article 6(1)(c) of the GDPR. Where processing is necessary for us to comply with the law;
- Article 6(1)(d) of the GDPR. where processing is necessary to protect the vital interests of the data subject or another person;
- Article 6(1)(e) of the GDPR as 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 under:

- Article 9(2)(a) of the GDPR. The data subject has given explicit consent or a person with the lawful authority to exercise consent on the data subjects behalf;
- Article 9(2)(c) of the GDPR. Processing is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;
- Article 9(2)(e) of the GDPR. Processing relates to personal data which are manifestly made public by the data subject;
- Article 9(2)(f) of the GDPR. Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- Article 9(2)(g) of the GDPR. 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 safeguard the fundamental rights and the interests of the data subject;

- Article 9(2)(j) of the GDPR. Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

4. Information about Criminal 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 and provided we do so in line with data protection legislation.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our appointment and Disclosure and Barring Service checks.

5. Collecting Job Applicant Personal Data

We collect Job Applicant personal data from:

- Application forms and CVs
- From documents provided to prove your identity and entitlement to work in the UK such as passports or other identity documents
- During the interview process and other forms of assessment therein,
- From third-parties such as references from current/former employers and others
- DBS checks
- Occupational health such as pre-employment health checks
- In addition, the School also uses CCTV cameras in and around the school site for security purposes and for the protection of staff, pupils and other stakeholders.

Whilst the majority of Job Applicant information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us, if you have a choice in this and what the possible consequences of failing to provide this personal data would be.

Where appropriate, we will ask for consent to process personal data where there is no other lawful basis for processing it. Job applicants may withdraw consent to such processing at any time.

6. Storage and Retention of Personal Data

Where possible, personal data is stored electronically. Some information may also be stored as hard copy.

Data stored and accessed electronically is done so in accordance with the School's **Data Security Policy**

Hard copy data is stored and accessed in accordance with the School's **Data Security Policy**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. When your relationship with the school has ended, we will retain and dispose of your personal information in accordance with the guidance contained in the School's **Data Retention Policy and Schedule**.

7. Who do we Share Job Applicant Personal Data with?

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 School will share your personal data with employment background check providers and the Disclosure and Barring Service to obtain necessary background and criminal records checks (see section 4 above).

8. 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 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).

9. Your Data Subject Rights

Job Applicants have the right to:

- Make a Subject Access Request (SAR) (see below);
- Withdraw consent to processing at any time;
- Ask us to rectify, erase or restrict 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 on the basis of public interest;
- Request a copy of agreements under which your personal data is transferred outside of the European Economic Area;
- Object to decisions based solely on automated decision making or profiling. The School **does not use** automated decision making and/or profiling in any of its processes and procedures;
- 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 their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances);

10. Subject Access Requests (SARs)

Under data protection legislation, individuals have the right to request access to their personal data held by the School.

Subject Access Requests **may be** made to the School 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 Headteacher, including:

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

A Subject Access Request (SAR) form is available from the School office. It **is not** mandatory to make a Subject Access Request using the form. It will, however, assist you in structuring your SAR to provide the information necessary to ensure we can action your request without delay.

We must respond within one month of receiving a valid Subject Access Request. A SAR is only considered “valid” if we are fully satisfied regarding the identity of the requester and their entitlement to the data requested. If in 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 in which we must respond can 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.

11. How to Contact Us

If you have any questions or concerns about how we process information or wish to exercise any data protection rights, please contact the School in the first instance.

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

Alternatively, you can register a concern with the UK's data protection regulator - the Information Commissioner's Office, by following this link <https://ico.org.uk/make-a-complaint/>

Contact Details

Data Controller: Lea Nursery School, Wexham Road, Slough, SL2 5JW

Data Controller's Representative: Linda Stay, Headteacher. Email: post@lea-nursery.slough.sch.uk

Data Protection Officer: Dee Whitmore. Email: DPOService@Schoolspeople.co.uk

12. Changes to this Privacy Notice

This Notice will be reviewed on a yearly basis 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: June 2019

Last update: April 2022

Review Date: April 2023