

be kind – be curious – be respectful

Privacy notice for job applicants



Oak Grange Nursery & Primary School

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, **East Midlands Education Trust** is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is

Data Protection Education Limited

Address: 1 Saltmore Farm, New Inn Road, Hinxworth, Baldock SG7 5EZ

Telephone: 0800 0862018

Email: dpo@dataprotection.education

Our school data protection lead is

Mrs Sarah Coleman email: admin@oakgrange.org

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about race, ethnicity, religious beliefs, sexual orientation and political opinions
- Information about disability and access requirements
- Photographs and CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

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.

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;
- 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 interview and 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 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; • information gathered as part of online searches which is available publicly.

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 at the commencement of your contract.

3. Why we use this data

We use the data listed above to:

- a) Enable us to establish relevant experience and qualifications
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Enable equalities monitoring
- d) 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.

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;
- so that we are able to monitor applications for posts in the Trust to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010; and
- To check that there are no comments, images or other content which could cause reputational damage to the Trust and/or give rise to a safeguarding concern.

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 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

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

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

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

6. How we store this data

We keep personal information about you during the application process. We may also keep it beyond this if this is necessary. East Midlands Education Trust retention schedule sets out how long we keep information about applicants.

A copy of the trust retention schedule is available on request via admin@oakgrange.org

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.

We will dispose of your personal data securely when we no longer need it.

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:

- Our local authority [name of local authority] – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- 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

Requesting access to your personal data

Data Lead Mrs Sarah Coleman email: admin@oakgrange.org

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing

- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and a right to seek redress, either through the ICO, or through the courts.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at **raise a concern with ICO**

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting

Data Lead Mrs Sarah Coleman email: admin@oakgrange.org

Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated 22 04 2023.

Contact

If you would like to discuss anything in this privacy notice, please contact:

data protection officer:

Address:

1 Saltmore Farm, New Inn Road, Hinxworth, Baldock SG7 5EZ

Telephone: 0800 0862018

Email: dpo@dataprotection.education

Or, 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:

Data Lead: Mrs Sarah Coleman email: admin@oakgrange.org