



## Privacy notice for Job applicants

Under data protection law, 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 we collect, store and use personal data about **job applicants**.

We, Agate Momentum Trust, are the 'data controller' for the purposes of data protection law.

Our data protection officer is The Education Space.

As part of the recruitment process, the school collects and processes personal data relating to job applicants. The school is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### The personal data we hold

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

- Name
- Contact details (such as address, telephone number, email address)
- Details of your qualifications, skills, experience and employment history
- Information about your current level of remuneration, including benefit entitlements
- Whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process
- Information about your entitlement to work in the UK
- Criminal convictions or offences
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief

### How we collect this information

The school collects this information in a variety of ways. For example, data might be contained in an application form, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The school will also collect personal data about you from third parties prior to any appointment process, such as via references supplied by former employers. The school will seek information from third parties such as a DBS Check and pre-employment medical check once a job offer to you has been made, and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

### Why we use this data

We collect and hold personal information relating to job applicants in order to ensure your suitability and eligibility for the role applied for, to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into a contract with you.

## **Our legal basis for using this data**

We only collect and use personal information when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- the processing is necessary for entering into a contract
- There is a legitimate interest; Processing data from job applicants allows the school to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The school may also need to process data from job applicants to respond to and defend against legal claims.
  - Where the school relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

Less commonly, we may also process personal information in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use personal information, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

## **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

## **How we store this data**

Personal information relating to job applicants, both successful and unsuccessful, is stored in line with the school's Data Retention Policy.

In accordance with the UK GDPR, the school does not store personal information indefinitely; data is only stored for as long as is necessary to complete the task the data was collected for originally.

## **Protecting information**

The school takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. Access to documents and electronic systems is restricted and all involved understand the importance of confidentiality and data handling.

## **Data sharing**

- Your information will be shared internally for the purposes of the recruitment process.. This includes those involved in administering the recruitment process, the shortlisting and interviewing panel and business administration staff if access to the data is necessary for the performance of their roles.
- The school will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The school will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

## **What if you do not provide personal data?**

- You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.
- You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to.

## **Transferring data internationally**

The school will not transfer your data outside the European Economic Area.

## **Your rights regarding personal data**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing;
- ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the School Business manager at: [info@hallsville.newham.sch.uk](mailto:info@hallsville.newham.sch.uk) or [info@scottwilkie.newham.sch.uk](mailto:info@scottwilkie.newham.sch.uk)

You can make a subject access request by completing the organisation's Subject Access Request form.

## **Further information**

If you have a concern about the way we are collecting or using your personal information, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Our Data Protection Officer is The Education Space who can be contacted at [dpo@theeducationspace.co.uk](mailto:dpo@theeducationspace.co.uk)

If you would like to discuss anything contained within this privacy notice, please contact the School Business manager at: [info@hallsville.newham.sch.uk](mailto:info@hallsville.newham.sch.uk) or [info@scottwilkie.newham.sch.uk](mailto:info@scottwilkie.newham.sch.uk)