



## **Privacy Notice - Applicant Information**

### **Introduction**

The General Data Protection Regulation (GDPR) 2018 and Data Protection Act 2018 (DPA) sets out the law relating to data protection. This privacy notice sets out the way we handle your personal data in accordance with that law.

Under the GDPR and DPA anyone who holds and controls the way in which data is used is known as a data controller. We, Withinfields Primary School, are a 'data controller.'

When you apply for a position at our school, we process personal information about you as part of the recruitment process. This privacy notice sets out what information we collect and how we process it.

### **This privacy notice sets out the following information:**

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### **The personal data we collect**

We collect the following information about you:

- Full name
- Address
- Email address
- DOB

- Telephone number
- Next of kin/ emergency contact details
- Previous education details
- Previous employment details
- Reference details

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## Why we use this data

The purpose of processing this data is to assist us with the recruitment process and make decisions about which candidates to shortlist for interview and appoint to the role.

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## Special category data

The school collects and processes some personal information that is classed as special category data under the DPA and GDPR. Special category data is personal data that is classed as more sensitive and therefore requires greater protection.

The special category data which school may process includes race, ethnic origin, religion and health information.

To lawfully process special category data, school must have a lawful basis under Article 6 GDPR and a separate condition for processing the data under Article 9 GDPR.

The school may ask you for information about your race, ethnic origin and religion but in most instances, this is optional and by providing this information you are giving your consent for the information to be processed by the school. In the majority of instances, the only use for this information is that schools provide this to the Department for Education and use it to monitor diversity and representation in accordance with the Equality policy.

The legal basis for processing your race, ethnic origin and/or religion is consent and the separate condition for processing under Article 9(2)(a) is consent.

Extra care will be taken when collecting, processing or sharing special category data and, unless there is a legal reason why we can't, you will be informed before we share the data with any external organisations.

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## Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. In applying for a position with the school you agree to provide the information set out above.

We have a legal obligation to collect this information about you for safeguarding purposes and to meet our legal requirements in recruiting the best candidate for the position.

Less commonly, we may also use personal information about you where you have provided consent to use that information in a certain way. If you have provided your consent to use your personal

information in a certain way, you have the right to amend/withdraw that consent at any time. We will make it clear if we ask you to consent to using your information in a certain way.

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## Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us. 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.

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## How we store this data

We create and maintain recruitment files for each post. The information contained in this file is kept secure and is only used for purposes directly relevant to recruiting a candidate for the role. If you are successfully appointed to the post, then the information we hold for you will be transferred to your personnel file. If you are unsuccessful in your application, then we will retain your information securely in line with our Records Management and Retention Policy.

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## Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we share personal information about you with:

- Our local authority – to meet our legal obligations to share certain information with it, such as for safeguarding purposes.
- The Department for Education.
- Our governing body.

If necessary, we may also share your personal information with the following:

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll.
- Financial organisations.
- Security organisations.
- Professional advisers and consultants.
- Professional bodies.
- Employment and recruitment agencies.

When sharing any personal information, we ensure that we use secure methods of sharing such as share point or secure email.

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## Transferring data internationally

When we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law. We do not foresee a reason that we would share your personal information in this way; if we do, we will notify you first.

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## Your rights

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of the information we hold
- 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 our data protection officer by email ([info@thedpadviceservice.co.uk](mailto:info@thedpadviceservice.co.uk)).

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## Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

**Your right to rectification** – you may have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information that you think is incomplete.

**Your right to erasure** – you have the right to ask us to erase your personal information in certain circumstances. We will only be able to do this in circumstances when the law and/or our policies allow.

**Your right to restriction of processing** – you have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** – you have the right to object to the processing of your personal information in certain circumstances. For example:

- To prevent it being used to send direct marketing.
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person).

- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations.

**Your right to data portability** – you have the right to ask that we transfer the personal information we hold about you to another educational provider. This will only be done once we have official confirmation of a transfer and will be done directly to the school or academy via the Common Transfer Form.

To exercise any of these rights, please contact our Data Protection Officer.

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## 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.

To make a complaint, please contact our data protection officer by email ([info@thedpadviceservice.co.uk](mailto:info@thedpadviceservice.co.uk)).

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

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

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## 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:

Debbie Pettiford at The DP Advice Service Ltd ([info@thedpadviceservice.co.uk](mailto:info@thedpadviceservice.co.uk)).

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