

Privacy Notice for Job Applicants **General Data Protection Regulation**

John Wheeldon Primary Academy Commitment to Data Privacy

John Wheeldon Primary Academy is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. Under data protection laws, individuals have a right to be informed about how we use any personal data we hold about them and we comply with this right by providing 'privacy notices' (sometimes called fair processing notices) to individuals where we are processing their personal data. Individuals can find out more information about the UK GDPR [here](#).

This privacy notice explains what personal information the Academy collects, uses and stores personal data about individuals who have applied for a position within Staffordshire University Academies Trust.

The Academy is the Data Controller for the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to job applicants is to be processed in order to comply with its' legal obligations and legitimate interests (in accordance with Article 6 of the GDPR), as a public sector organisation. The personal data collected is essential, in order for the Academy to fulfil its official functions.

A data protection representative for the Academy, Mr D. Kerr, can be contacted on 01785 594 444 or dave.kerr@johnwheeldon.staffs.sch.uk in the first instance for any queries in relation to the processing of your personal data.

Staffordshire University Academies Trust has a Data Protection Officer whose role is to support the Trust and its' Academies with data processing practices. The DPO can be contacted on 01782 987120 or hkirkham@suatrust.co.uk.

The information you provide will be used in accordance with the Staffordshire University Academies Trust data protection policies can be found by accessing the Trust's website - <http://www.suatrust.co.uk/documents---policies>.

The personal data we process

The personal information that the Academy collects regarding job applicants will be utilised to meet our statutory duties and to fulfil our purpose as a public sector organisation.

We process data relating to those who apply for a position within the Trust. Personal data that we collect, use, store and when appropriate, share, about you includes (as relevant to the position being applied for), but is not restricted to:

- Name, address, date of birth, gender, contact telephone number and email address
 - Teacher number, QTS, DfES reference number, previous teaching experience (where relevant)
 - National insurance number
 - Employment history
 - References (name and contact information)
 - Qualifications and where relevant, subjects taught
-

- CPD (including course name, awards, date of attendance)
- Data relating to warnings
- Data relating to child protection and safeguarding incidents
- Whether you have any prosecutions pending
- CCTV (whilst on site)
- Details of your driving licence

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

- Race, ethnicity, religious beliefs, sexual orientation
- Health, including any medical conditions, physical and mental health information, and sickness records
- Data relating to disability
- Criminal data, provided as part of our recruitment process application

Job applicants' personal data will be sought from the data subject themselves. Third parties will be contacted to obtain job applicants' personal data with the data subject's consent, unless the Academy has a legal basis for doing so. Previous employers will be contacted to obtain personal information in the form of references of the data subject, to enable the Academy to fulfil its' legal duties to ensure that safer recruitment practices are adhered to.

Why we use this data

When you complete the application form and accompanying documentation as part of our recruitment process, you will be providing the Academy with personal data for the purpose of helping us to appoint a suitable candidate, including to:

- Comply with safer recruitment practices and legal obligations to keep children safe in education;
- Inform the development of recruitment and retention policies;
- Allow financial modelling and planning;
- Enable equalities monitoring;
- Ensure staff and children are safe in the workplace;
- Maintain security on the premises to safeguard staff and children.

The Academy collects information regarding job applicants to adhere to safer recruitment requirements and safeguarding obligations under Section 175 of the Education Act 2002.

DBS data will be verified on appointment of each staff member in accordance with the latest Keeping Children Safe in Education guidance. No copies of DBS certificates will be taken however verification of such checks will be recorded on the Academy's single central record.

The Academy collects information regarding race, ethnicity, religious beliefs and sexual orientation for equality monitoring purposes and in accordance with the Equalities Act 2010. It collects disability data to ensure that appropriate measures can be implemented to provide an accessible recruitment process for all.

The Academy collects information regarding health, including any medical conditions, physical and mental health information, and sickness records through our PEAQ form. This form will only be reviewed if you are the preferred candidate for the post which you have applied for and will support the Academy in assessing your fitness for work and provide support to you in your post through occupational health consultancies.

CCTV recordings are used for public safety interests and the prevention and detection of crime on our premises. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations. These recordings contain images of individuals utilising the Academy grounds / building and the legal basis for using the information you provide us is:

- For the interests of staff, pupil and public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings
- The processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

The CCTV database is used to record incidents that are actioned by designated staff with secure access to the system. This information can be used as an evidential log if needed for legal purposes, to internally investigate an accident or incident which may be shared with our governing body, as well as for the Staffordshire Police, Health and Safety Executive as required.

Where we require your consent for collecting data, this will be specified on the form for the request of data. Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Our lawful basis for using this data

The data of job applicants is essential for the Academy's operational use to facilitate safer recruitment practices and ensure that the successful candidate can be recruited into the role applied for. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

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

- We need to comply with a legal obligation (Article 6(1)c)
- Where we need to carry out a task in the public interest (Article 6(1)e)
- Where we have a legitimate interest (Article 6(1)f)

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way (Article 6(1)a)
- We need to protect your vital interests, or someone else's vital interests (Article 6(1)d)

We will also use your data if you are successful in your application, where we require it to fulfil a contract with you (contract of employment), under Article 6(1)b.

We collect data which is specified under the UK General Data Protection Regulation as Special Category Data, known as data that could be considered particularly sensitive. This means that, under the UK GDPR, we have obligations to keep this data secure and use it where:

- We have explicit consent (Article 9(a))
- Employment, social security and social protection permits (Article 9(b))
- We need to protect the vital interests of an individual (Article 9(c))
- We have a legitimate interest as a not for profit organisation (Article 9(d))
- For the safeguarding of children and individuals at risk (Paragraph 18, Schedule 1, Data Protection Act 2018)

We will only use your personal information for the purposes for which we collected it, unless we reasonably 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.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Academy's use of your data.

How we store this data

We hold application data throughout your period of employment and for 6 years after the cessation of your employment if successful, or for a period of 6 months if unsuccessful. Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely in accordance with our retention policy. Once your application has been submitted we will retain this file and delete the information in it in accordance with our Compliant Records Management Policy.

The Academy will not share your personal information with any third parties without your consent, unless the law allows us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information. Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Who we share personal information with

Where it is legally required, or necessary for another reason permitted under data protection law, we may share personal information with:

- Our local authority, Staffordshire County Council – to meet our legal duties to share certain information with it, such as health and safety purposes.
- The Department for Education (a government department).
- Suppliers and service providers, including professional bodies, professional advisers and consultants – so that they can provide the services we have contracted them for.
- Our auditors – to ensure that we comply with finance, data protection and health and safety.
- Survey and research organisations – to gather feedback about the Academy.
- Health authorities and health and social welfare organisations – to ensure we support your health and wellbeing.
- Police forces, courts, tribunals – to ensure the Academy meets legal requirements.
- Website and social media – where you have consented to the sharing of your information here.
- Medical/Paramedic Services - Incidents relating to the safety of the building occupants requiring medical/paramedic/ambulance services.

Data Retention

Personal data is retained in line with the Staffordshire University Academies Trust Compliant Records Management Policy. Personal information will be retained depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Compliant Records Management Policy from the Trust website <http://www.suatrust.co.uk/documents---policies> or request a copy from the Academy's Data Protection Representative.

Your rights

- Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them. A request can be made to the Academy's Data Protection Representative, whose contact details can be found within this Privacy Notice. If you would like to make a request, please find a link to the information to the supporting information [here](#).
- You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

Individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

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

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – hkirkham@suatrust.co.uk

Telephone – 01782 987120

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

Further information

If you require further information about how we use your personal data, please visit our website, www.johnwheeldonacademy.co.uk.