



POLICY AND PROCEDURE:

PRIVACY NOTICE – Job Applicants

In the course of an application by an individual for an academic or other position within Claremont Fan Court School, the school, will collect, use and hold ('process') personal data relating to the applicant. This makes the school a data controller of an individual's personal information and this privacy notice sets out how the school will process the information and the rights of the individual. The school is committed to protecting the privacy and security of an applicant's personal information and to meeting the data protection obligations under the General Data Protection Regulation (GDPR).

This document should be read in conjunction with the school's general privacy notice which is available on the school website: <http://www.claremontfancourt.co.uk/privacy-cookies/>

1. This document applies to

Prospective applicants for a teaching, support or any other role within the school who are applying for employment or engagement by the school to work for it in some capacity.

This notice is not aimed at pupils or parents of pupils (whether current, past or prospective) or other members of the public. This information may be found in the school's general Privacy Notice which provides further details about how personal data will be used by the school.

2. About this document

This job applicant privacy notice explains how the school will process applicants' personal data, and an individual's rights in relation to the personal data we hold.

This privacy notice also applies in addition to the school's other relevant policies, including

- the school's CCTV policy
- the school's records retention policy

This job applicant privacy notice also applies alongside any other information the school may provide about particular uses of personal data; for example when collecting data via an online or paper form.

3. How the school collects information

The school may collect personal data in a number of ways; for example:

- from the information provided to us before an individual makes a job application, for example when they make an initial enquiry or come for a visit or interview

- when an individual submits a formal application to work for the school and provides their personal data in application forms and covering letters, etc.
- from third parties; for example, the Disclosure and Barring Service (DBS) and referees (including previous or current employers or school) in order to verify details about the individual and/or their application to work for us and
- in various other ways as someone interacts with the school during their time as an applicant for the various purposes set out below

4. The types of information the school collects

The school may collect the following types of personal data about an applicant (mainly provided by the applicant in the application form):

- contact and communications information including:
 - email address(es), telephone numbers and postal address(es)
 - records of communications and interactions with the individual
- biographical, educational and social information including:
 - name, title, gender, nationality and date of birth
 - details of education
 - copies of qualification certificates
 - copies of driving licence, passport and documents used to verify an applicant's address;
 - lifestyle information and social circumstances
 - interests and extra-curricular activities
- work related information including:
 - details of work history and references from previous employer(s)
 - personal data captured in the notes and correspondence the employee creates during the application process
 - details of professional activities and interests
 - involvement with and membership of sector bodies and professional associations
- any other information relevant during an application to work for the school

Where this is necessary for an application for employment, the school may also collect special categories of data including:

- information revealing racial or ethnic origin
- information concerning health and medical conditions (for example, to make reasonable adjustments to working conditions or environment)
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with the school's legal and regulatory obligations)

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with potential employment or other engagement to work for the school.

5. The basis for processing personal data (how that data is used and who it is shared with)

(i) Possibility of entering into a contract with an individual

The school processes personal data because it is necessary to take steps at the individual's request prior to entering into a contract of employment or other engagement with the school. In this respect, personal data is used for the following:

- administering job applications and, where relevant, offering a role within the school
- managing the recruitment and selection process to assess suitability for employment and engagement
- carrying out due diligence checks on an individual, whether during the application process for a role with us, including by checking references in relation to education and employment history for any other reason or purpose required under the application process

(ii) Legitimate interests

Personal data is processed because it is necessary for the school's (or sometimes a third party's) legitimate interests. 'Legitimate interests' include the interests in running the school in a professional, sustainable manner in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, personal data is used for the following:

- providing an individual with information about the school and what it is like to work for the school (where someone has asked for this, most obviously before they have made a formal job application)
- for security purposes, including by operating security cameras in various locations on the school's premises
- for the purposes of management planning and forecasting, research and statistical analysis
- publishing an image and likeness in connection with employment or engagement with the school

(iii) Legal obligations

The school also processes personal data for compliance with legal obligations. In this respect, personal data is used for the following:

- to meet legal obligations (for example, relating to child welfare, social protection, diversity, equality, and gender pay gap monitoring, employment, and health and safety)

(iv) Special categories of data

Special categories of personal data are also processed (such as data concerning health, racial or ethnic origin) or criminal convictions and allegations for the reasons set out below.

The school will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both the individual's and the school's) in relation to possible future employment.

In particular, the school processes the following types of special category personal data for the following reasons:

- physical or mental health or condition(s) in order to take decisions about an individual's fitness for work
- recording racial or ethnic origin in order to monitor compliance with equal opportunities legislation
- data about any criminal convictions or offences committed by someone. A DBS check is conducted upon offer of any position

The school will process special categories of personal data for lawful reasons only, including because

- an individual has given the school their explicit consent to do so in circumstances where consent is appropriate
- it is necessary for some function in the substantial public interest, including the safeguarding of children, or as part of a process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations) or
- it is necessary for the establishment, exercise or defence of legal claims such as where any person has brought a claim of serious complaint against the school or the individual.

6. Sharing an applicant's information with others

An applicant's personal information may be shared internally by the school for the purposes of the recruitment process, including with members of the HR department, members of the recruitment panel and senior management team where relevant.

Limited personal data may be disclosed to a referee where the applicant has given express permission for the school to contact them to obtain a reference. The school will not share personal information with other external parties during the recruitment process unless the application is successful and an offer of employment is made. At this stage, we may share personal information with third parties including:

- The applicant's employment agency if applicable
- advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants
- the Disclosure and Barring Service and other relevant authorities and agencies such as the Department for Education, Teaching Regulation Agency (former NCTL), the ICO and the local authority
- the school's occupational health provider
- external auditors or inspectors

- when the school is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs, or the Police.

7. How long information is kept

Personal data relating to unsuccessful job applicants is retained for a minimum of six months and deleted soon after and not longer than 12 months, except where the school has notified the applicant that it will be kept for longer and they have not objected. Personal information, which is no longer retained, will be securely and effectively destroyed and permanently deleted from the school's IT systems.

If an application for employment is successful, personal information gathered during the recruitment process will be retained for the duration of employment and in accordance with the school's Privacy Notice for Staff and Governors.

8. An individual's rights

Please see the school's general privacy notice which has details of applicant/employee rights as a 'data subject' which are the same as if that person were any member of the public. More information about rights under applicable data protection legislation can be obtained from the Information Commissioner's Office website available at www.ico.org.uk.

9. This notice

This notice is applicable to applicants for positions within the school only. When an individual commences employment with the school, the staff and governor privacy notice will apply.

The school reserves the right to update or amend this job applicant privacy notice at any time

10. Contact and complaints

If an individual has a question about this job applicant privacy notice or how the school processes personal data, or if they wish to exercise any of their rights under applicable law, they should contact the Head of school or the Bursar in the first instance.

If an individual is not satisfied with how the school is processing their personal data, or how the head or bursar deal with their complaint, they can make a complaint to the Information Commissioner: www.ico.org.uk. The ICO recommends that an individual first seeks to resolve any issues with the school prior to any referral.