



Privacy Notice for Job Applicants

Introduction

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to job applicants. Successful candidates should refer to our privacy notice for staff for information about how their personal data is stored and collected.

Who Collects this Information

Wellacre Academy is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how we process your information and the procedures we take to protect your personal data.

Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

Categories of Information We Collect, Process, Hold and Share

We may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process: -

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;
- Details of your employment history including job titles, salary and working hours;
- Information regarding your criminal record as required by law to enable you to work with children;
- Details of your referees and references;
- Details collected through any pre-employment checks including online searches for data;

We may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Information about your health, including any medical condition and sickness records.
- Information about criminal convictions and offences.

After the shortlisting and interview stage, in order to make a final decision on recruitment, we may collect further information including criminal record information, references, information regarding qualifications. We may also ask about details of any conduct, grievance or performance issues, appraisals, time and attendance from references provided by you.

How We Collect this Information

We may collect this information from you, your referees, your education provider, by searching online resources, from relevant professional bodies, the Home Office and from the DBS.

How We Use Your Information

We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to take steps to enter into a contract with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- Where you have provided your consent for us to process your personal data.

Generally, the purpose of us collecting your data is to enable us to facilitate safe recruitment and determine suitability for the role. We also collect data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required.

If you fail to provide certain information when requested, we may not be able to take the steps to enter into a contract with you, or we may be prevented from complying with our legal obligations. 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.

How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- For reasons of substantial public interest, such as safeguarding pupils or preventing unlawful acts;
- to establish, exercise or defend legal claims;
- Where it is necessary to protect your vital interests (or those of another person) and you are unable to give consent.

Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.

Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of the recruitment process.

Sharing Data

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following: -

- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
- Referees;
- Other schools;
- DBS; and
- Recruitment and supply agencies.
- Local Authority in order to meet our legal obligations for sharing data with it;

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the UK and the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Retention Periods

We keep the personal data that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your data will depend on whether your application is successful and you become employed by us, the nature of the data concerned and the purposes for which it is processed.

We will keep recruitment data (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment data that is necessary in relation to your employment.

Once we have finished recruitment for the role you applied for, we will then store your information in accordance with our Retention Policy. This can be found on the school website, www.wellacre.org

Security

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Details of these measures are available from the Business Director.

You can find further details of our security procedures within our Data Breach, Cyber Security and On-Line Safety Policies, which can be found on the school's website at www.wellacre.org located in the policies section.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are required to ensure that appropriate safeguards are in place when using automated decision making for significant decisions and the circumstances in which we are permitted to use special category data (sensitive information) in automated decision making are limited.

You will not be subject to automated decision making for significant decisions unless we have a lawful basis, and a valid condition where required, for doing so and appropriate safeguards are in place. Appropriate safeguards include informing the relevant individuals about the automated

decision making and their rights to request a human review, express their views, and contest the decision.

Your Rights of Access, Correction, Erasure and Restriction

Under certain circumstances, by law you have the right to:

- Access your personal information (commonly known as a “subject access request”). This allows you to receive a copy of the personal information we hold about you and to check we are lawfully processing it. You will not have to pay a fee to access your personal information. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.
- Correction of the personal information we hold about you. This enables you to have any inaccurate information we hold about you corrected.
- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for us continuing to process it.
- Restriction of processing your personal information. You can ask us to suspend processing personal information about you in certain circumstances, for example, if you want us to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please do so in writing by contacting Paula Bailey, Business Director, Wellacre Academy, Irlam Road, Flixton, Manchester, M41 6AP. Telephone: 0161 748 5011 or email admin@wellacre.org

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Right to Withdraw Consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Paula Bailey, Business Director Tel: 0161 748 5011 or via email at admin@wellacre.org. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

How to Raise a Concern

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Business Director in the first instance. We will acknowledge receipt of your complaint within 30 calendar days, and we will investigate and respond without undue delay. Further information about the way we handle data protection complaints can be found in our Data Protection Policy, available on the school website.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by Paula Bailey, then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited
Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.