



Privacy Notice for Applicants - How we use your information

2018/19

As part of any recruitment process, we collect and process personal data relating to job applicants. The School is committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

Who are we?

Myton School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Myton School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z2780731

You can contact the school as the Data Controller in writing at: enquiries@myton.co.uk.

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our staff.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about applicants?

The School collects personal information including from application forms, CVs, your passport or other identity documents, or through interviews or other forms of assessment. The personal information that we collect, hold and share (where appropriate) includes, but is not restricted to:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience, employment history professional membership etc.;
- information about your current level of remuneration, including benefit entitlements;
- any information you provide in the recruitment process such as in a CV or covering letter
- information about your entitlement to work in the UK; and copies of any Passport, immigration or Visa documentation
- "special category" personal information for equality monitoring, such as ethnic origin, sexual orientation, and religion or belief and information about a condition or disability for which the School needs to make reasonable adjustments during the recruitment process.

For what purposes do we use personal information?

The School needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the School needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK, and to comply with Safer Recruitment statutory guidance before employment starts.

The School has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. 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 applicants and has concluded that they are not.

The School processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to equality in recruitment and employment.

Where the School processes other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equality monitoring with the explicit consent of job applicants, which can be withheld or withdrawn at any time.

For most roles, the School is obliged to seek information about criminal convictions and offences (including those otherwise deemed to be "spent"). Where the School seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment and safer recruitment regulations.

Collecting personal information

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

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 can request to withdraw consent if you wish to do so.

The School will also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks. However, we will ask you whether you consent to us contacting third parties (e.g. referees) before seeking this information.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

1) To comply with the law

We collect and use general purpose staff information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent. If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

4) To perform a public task

It is a day-to-day function of the school to ensure that staff receive the training and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that staff are properly supported and able to do their job.

5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract

We are able to process personal information in order to comply with the contract we have with you.

6) Where we have legitimate interests in processing the data for example, defense of potential legal claims, or maintaining standards of performance and discipline, where the legitimate interest is not outweighed by the rights of the person.

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

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

Who might we share your information with?

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.

Your information will be shared internally for the purposes of the recruitment exercise. This may include:

- members of the HR and recruitment team,
- managers involved in the recruitment process
- senior staff in the department with a vacancy
- Leadership Team members
- Governors and external advisors to the appointment panel.

If your application for employment is successful and the School makes you an offer of employment, the School will then share your data with relevant third parties to complete the recruitment and vetting process (for example the Disclosure and Barring Service).

What do we do with your information/how is it stored?

All personal information is held in a manner which is compliant with Data Protection legislation. Personal information is only processed for the purpose it was collected. Data will be stored in a range of different places, including on your application record, in HR recruitment files, and on IT

systems (including email).

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 relevant employees in the proper performance of their duties

How long do we keep your information for?

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society (as part of our Records Management Policy). The schedules set out the Statutory Provisions under which the school is required to retain information.

A copy of those schedules can be located using the link: <http://irms.org.uk/page/SchoolsToolkit>

If your application for employment is unsuccessful, the School will hold your data on file for 6 months after the end of the relevant recruitment process. The School may ask for your consent to retain your personal data on file in case there are future employment opportunities for which you may be suited. If you agree, the School will hold your data on file for a further 6 months for consideration for future employment opportunities. At the end of that period, or once you withdraw your consent, your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice and in accordance with the School's Retention of Records Policy.

Transferring data internationally

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.

What are your rights with respect to your personal information?

You are under no statutory or contractual obligation to provide data to the School during the recruitment process. However, if you do not provide the information, the School may not be able to process your application properly or at all.

You are under no obligation to provide information for equality monitoring purposes and there are no consequences for your application if you choose not to provide such information.

Under data protection law, individuals have the right to request access to information about them that we hold. To make a request for your personal information please contact Jane Burrows, School Data Protection Officer via enquiries@myton.co.uk.

You also have the right to:

- object to the processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Review

The content of this Privacy Notice will be reviewed in May 2019.