The John Fisher School

Privacy Notice for Job Applicants

The John Fisher School is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the General Data Protection Regulation (GDPR).

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?

The John Fisher School 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 privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

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.

The Categories of Information that 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;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

We may also collect information after the shortlisting and interview stage in order to make a final decision on where to recruit, 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, 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 (for example if incorrect references are provided),

or we may be prevented from complying with our legal obligations (such as to determine suitability to work with children).

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.

How we Use Particularly Sensitive Information

Sensitive personal information (as defined under the 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;
- Where it is needed in the public interest, such as for equal opportunities monitoring;
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your 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 working for us.

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;
- our Local Authority in order to meet our legal obligations for sharing data with it;
- Other schools;
- DBS; and
- Recruitment and supply agencies.

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Usually information will be anonymised but this may not always be possible. The recipients of the information will be bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.

Retention Periods

Except as otherwise permitted or required by applicable law or regulation, the school only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed. Full details on how long we keep personal data for is set out in our Records Retention Policy.

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 in the Data Protection and Freedom of Information Policy.

Third parties will only process your personal information on our instructions and where they have agreed to treat information confidentially and to keep it secure.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Your Rights of Access, Correction, Erasure and Restriction

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.

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 contact Mrs Michelle Laviniere, Office Manager in writing.

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). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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 Mrs Michelle Laviniere, Office Manager. 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

We hope that Mrs Michelle Laviniere, Office Manager can resolve any query you raise about our use of your information in the first instance.

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 Mrs Michelle Laviniere, Office Manager, then you can contact the DPO on the details below:

Data Protection Officer: Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Lead Contact: Craig Stilwell
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.

Collecting Data for Test and Trace

In the current pandemic, we may need to store your data for test and trace purposes. This is in order for the school to engage with the test and trace process, make decisions on safety within the school and whether individuals are required to self-isolate or carry out a test. To do this we will be recording your name, contact number and date and time of arrival as well as time of departure.

To complement the above we may also ask for data that has not previously supplied. This will allow us to assess an individual's ability to attend/return to school and what measures may need to be put in place to allow for a safe return. We, additionally, may need to collect data about individuals that you reside with in order to factor in appropriate considerations for their wellbeing.

All data collected by the school will be processed in accordance with our retention, destruction, data protection and data security policies. All data collected for test and trace purposes will be retained for 21 days in accordance with Government guidelines.

The legal bases for using your data in these circumstances will be for the reasons of substantial public interest and in the interests of public health. Dependant on circumstances the basis may be to assess the working capacity of an employee or to protect the vital interests of yourself or another person. We may need to share select data with others. This can be with the NHS and emergency services, public health, public authorities as well as other stakeholders. This will only be done where it is necessary and proportionate for us to do so.