

Reviewed: January 2019



A C A D E M I E S

Privacy Notice for Recruitment

Privacy notice for recruitment

Under data protection law, individuals have a right to be informed about how the Academy uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at our Academy.

We, **Q3 Academies Trust**, are the 'data controller' for the purposes of data protection law.

The personal data we collect for the recruitment process

We process data relating to those we employ, or otherwise engage, to work at our Academy. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- ✓ Contact details;
- ✓ Date of birth, marital status and gender;
- ✓ Next of kin and emergency contact numbers;
- ✓ Salary, annual leave, pension and benefits information;
- ✓ Bank account details, payroll records, National Insurance number and tax status information;
- ✓ Personal identification, such as passport number, driving license number;
- ✓ Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process;
- ✓ Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships;
- ✓ Performance information;
- ✓ Outcomes of any disciplinary and/or grievance procedures;
- ✓ Absence data;
- ✓ Information identifying personally owned property, such as vehicle registration numbers.
- ✓ Photographs;
- ✓ CCTV footage;
- ✓ Data about your use of the Academy's information and communications system (IT systems) including asset information, swipe cards and telephone systems.
- ✓ Information held about you within the public domain, e.g. Social Media, press releases, newspaper articles. Please note – the Academy will not store, duplicate or copy this information unless you give express permission for us to do so.
- ✓ Any other category of personal data which we may notify you of from time to time.

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 and political opinions;

- ✓ Trade union membership;
- ✓ Health, including any medical conditions, and sickness records.

Why we use this data

The purpose of processing this data is to help us run the Academy, including to:

- ✓ Decide whether to employ you (or engage)
- ✓ Enable you to be paid how much and the other terms of your contract with the Trust;
- ✓ Facilitate safe recruitment, as part of our safeguarding obligations towards students;
- ✓ Check you have legal rights to work for the Trust
- ✓ Support effective performance management;
- ✓ Inform our recruitment and retention policies;
- ✓ Allow better financial modelling and planning;
- ✓ Enable ethnicity and disability monitoring;
- ✓ Improve the management of workforce data across the sector;
- ✓ Support the work of the School Teachers' Review Body;
- ✓ Decide whether to promote you;
- ✓ Decide whether and how to manage your performance, absence or conduct.

Our lawful basis for using this data

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

- ✓ Fulfil a contract we have entered into with you;
- ✓ Comply with a legal obligation, such as racial/ethnic/religious information for compliance with Equal Opportunities regulations;
- ✓ Carry out a task in the public interest.

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

- ✓ You have given us consent to use it in a certain way;
- ✓ We need to protect your vital interests (or someone else's interests);
- ✓ We have legitimate interests in processing the data – for example, where:
 - We must collate, store, distribute and assess the quality of the applicant pool in order to perform shortlisting, interviews and re-evaluation of the post if required;
 - Keep records of the recruitment process in order to satisfy our internal quality assurance framework;
 - We must use this information to decide whom to offer a position to;
 - We may need to respond to a legal challenge/claim.

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.

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.

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

If your application is unsuccessful, your personal data will be stored and retained as per our **GDPR Data Audit**, which includes references to the **Information and Records Management Society's toolkit for schools (IRMS)** sets out how long we keep information about students. If you wish to see a copy of the Academy's retention schedule, please contact the **Data Protection Administrator**.

If you send an application to be retained one file for consideration of any future employment opportunities your application will be stored and retained as per our GDPR Data Audit (as above). You may withdraw consent to hold your details "on file" at any time.

How we protect this data

We take the security of your data seriously. We have 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 our employees in the proper performance of their duties.

Data sharing

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, leaders within the recruitment area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain reference for you and necessary employment background check providers to obtain necessary background checks.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

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.

Your rights

How to access personal information we hold about you

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- ✓ Give you a description of it;
- ✓ Tell you why we are holding and processing it, and how long we will keep it for;
- ✓ Explain where we got it from, if not from you;
- ✓ Tell you who it has been, or will be, shared with;
- ✓ Let you know whether any automated decision-making is being applied to the data, and any consequences of this;
- ✓ Give you a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our **Data Protection Administrator**.

Your other rights regarding your data

Under data protection law, 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 by a person);
- ✓ In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing;
- ✓ Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our data protection officer.

Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

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

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Administrator:**

Lynn McIlhone – gdpr@q3academy.org.uk

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