



Whitley Academy

**PRIVACY NOTICE
FOR JOB APPLICANTS**
General Data Protection Regulation

Created – June 2018

To be reviewed: Summer 2020

Privacy Notice for Job Applicants – General Data Protection Regulation

1. Whitley Academy's commitment to data privacy

Whitley Academy is committed to protecting the privacy and rights of anyone who chooses to share their personal data with us. The General Data Protection Regulation becomes law in all European countries from 25th May 2018. From this date, EU residents (data subjects) have greater control over the processing of their personal data and organisations within the EU have obligations to protect personal data accordingly. Under data protection law, individuals have a right to be informed about how we use any personal data we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about job applicants.

2. Who processes your information?

The Academy is the data controller of the personal information you provide to us. This means that we determine the purposes for which, and the manner in which, any personal data relating to students is to be processed. A data protection representative for the Academy, Jess Davies, can be contacted at admin@whitleyacademy.com in the first instance for any queries in relation to the processing of your personal data.

Theresa Kristunas is the Data Protection Officer for Whitley Academy and her role is to oversee and monitor data processing practices at the academy. The DPO can be contacted via email on DPO@whitleyacademy.com.

The information you provide will be used in accordance with Whitley Academy's GDPR Data Protection Policy which can be found by accessing our website - <http://www.whitleyacademy.com>. Where necessary, third parties may be responsible for processing personal information. Where this is required, the Academy places data protection requirements on third party processors to ensure that data is processed in line with an individuals' privacy rights.

3. The personal data we hold

We process data relating to those applying to work at our Academy as part of our recruitment and safer recruitment processes. Personal data that we may collect, use, store and share (when appropriate) about you includes:

- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships
- CCTV as captured whilst on Academy premises

We 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
- Disability and access requirements

When you apply for a position with the Academy, you will be providing the academy with data which is specified under the General Data Protection Regulation as Special Category Data, which is data that could be considered particularly sensitive. This means that, under the GDPR, we must have a lawful basis for processing this data and have obligations to keep this data secure. We collect special category data in order to fulfil our legitimate interests as a public organisation, where we have a legal obligation to process this data or where we have consent. Where we require your consent for collecting data, this will be specified on the form for the request of data.

If prospective staff members fail to provide their personal data, there may be significant consequences. This includes the following:

Employment checks:

- Failure to provide the Academy with ample proof of a right to work in the UK will prevent employment at the Academy.
- Employees found to be working illegally could face prosecution by law enforcement officers.

Safeguarding checks:

- Failure to provide accurate information regarding previous employment, references and records relating to proven incidents which are of a safeguarding or child protection nature will prevent employment at the Academy.

Salary requirements:

- Failure to provide accurate tax codes and/or national insurance numbers and bank information could lead to issues of delayed payments or an employee paying too much tax.

Health requirements:

- Failure to provide relevant medical, health or welfare information upon employment of successful candidates could result in the Academy being unable to fulfil any supportive or preventative care and/or risk management in the workplace in accordance with the Health, Safety and Welfare Act 1974.

4. Why we use this data

The purpose of processing this data is to aid the recruitment process by:

- Enabling us to establish relevant experience and qualifications
- Facilitating safe recruitment, as part of our safeguarding obligations towards pupils
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates that require them

5. 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:

- Comply with a legal obligation
- 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

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 the 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.

6. How do we retain this data?

Job applicants' personal data is retained in line with the Whitley Academy Data Retention & Destruction Policy.

Personal information will be retained depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely.

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our Data Retention & Destruction Policy from our website www.whitleyacademy.com or request a copy from the Academy's Data Protection Representative.

7. Data sharing

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.

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

- Suppliers and service providers/professional advisers and consultants – to enable them to provide the service we have contracted them for, such as HR and recruitment support
- Employment and recruitment agencies – to enable them to support the Academy in the recruitment process where required.

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.

8. Your rights

Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them. A request can be made to the Academy's Data Protection Officer.

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

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 a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

To exercise any of these rights, please contact our Data Protection Officer.

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you have any queries in relation to our processing, or think that our collection or use of personal information is unfair or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting our Data Protection Officer:

Email – DPO@whitleyacademy.com

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

10. How can you find out more information?

If you require further information about how we use your personal data, please visit our website, www.whitleyacademy.com and download our GDPR Data Protection and Data Retention & Destruction Policy.