Privacy Notice for Job Applicants

Contents

Introduction 1
Data Protection Principles 2
Definitions 2
Responsibility for Data Protection 2
Types of Personal Data Collected and Processed by the Schools 3
How the Schools Collect and Store your Personal Data 3
How the Schools Use your Personal Information 4
The Schools' Legal Grounds for Using your Personal Data 4
Criminal Convictions 5
Who has Access to your Personal Data and Who the Schools Share it With 5
Transferring Personal Data Outside the UK 6
Data Accuracy and Security 6
Automated Decision Making 6
Your Rights 6
How Long Do the Schools Keep your Personal Data for? 7
Privacy Notice Review 7
Queries and Complaints 7

Introduction

As part of any recruitment process, the Leys School and St Faith's School (together forming part of The Leys and St Faith's Schools Foundation and referred to in this Privacy Notice as "the Schools") collect and process personal data relating to job applicants. The Schools are committed to being transparent about how they collect and use that data and to meeting their obligations under Data Protection Legislation (as defined below).

This Notice should be read in conjunction with the Schools' Data Protection Policy, available on the Schools' respective websites.

Job applicants are encouraged to read this Privacy Notice to understand how and why the Schools process their personal data. This allows job applicants to make informed decisions about, and explains their rights in relation to, their personal data. Successful job applicants should refer to our privacy notice for staff for information about how their personal data is stored and collected.

Data Protection Principles
The Schools will comply with the data protection principles when gathering and using personal information, as set out in the Data Protection Policy, available on our website.

Definitions
In this Privacy Notice, the following definitions apply:

"Data Protection Legislation" means (i) the UK General Data Protection Regulation ("GDPR") and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the United Kingdom and (ii) any successor legislation to the GDPR.

"Data Controller", "data subject" and *"processing"* shall have the same meanings as in the Data Protection Legislation.

"Personal data" shall have the same meaning as in the Data Protection Legislation, namely information that we hold about you and which identifies you. This includes information such as your name, date of birth, nationality, address, next of kin, occupation, dietary and medical details, your photograph (including that processed by CCTV) and vehicle details for those authorised to use the Schools' car parks.

"Special categories of personal data" shall have the same meaning as in the Data Protection Legislation, namely personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation.

Responsibility for Data Protection
The Schools have each appointed a Data Compliance Officer to deal with any requests and enquiries concerning the Schools' use of your personal data and to endeavour to ensure that all personal data is processed in compliance with this policy and current data protection legislation.

Under Data Protection Legislation, the Schools are Data Controllers and are jointly registered with the ICO under ICO Registration Number: Z976867X.

Details of the Data Compliance Officer for each School, and their contact details, are as follows:

The Leys School, Trumpington Road, Cambridge, CB2 7AD
Data Compliance Officer: Fiona Oliver
Email: compliance@theleys.net
Telephone: 01223 791441

St Faith's School, Trumpington Road, Cambridge, CB2 8AG

Data Compliance Officer: Hannah Fox
Email: gdpr@stfaiths.co.uk
Telephone: 01223 352073

The Schools have appointed Judicium Consulting Ltd as their Data Protection Officer, and their contact details are as 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
Telephone: 0345 548 7000 (Option 1, then 1)

If you have any comments, questions or concerns about the information in this Privacy Notice or your rights, please use the contact details listed above.

Types of Personal Data Collected and Processed by the Schools

The Schools may collect, store and use the following categories of personal information about you:

- Full name, marital status, date of birth, address, and contact details, including email address and telephone number;
- Details of your qualifications, skills, experience, and employment history;
- Details about your hobbies and interests;
- Information about your current level of remuneration, including salary and benefit entitlements;
- National Insurance details;
- Criminal record information, as required by law to enable you to work with children;
- Information from your social media profiles or otherwise publicly available online, if you are shortlisted;
- Whether or not you have a disability or medical condition for which the School needs to make reasonable adjustments during the recruitment process and if an offer is made;
- Information about your nationality and your right to work in the UK;
- Details of your referees and references; and
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

How the Schools Collect and Store your Personal Data

Generally, the Schools receive personal data from you directly. The Schools may also collect your personal data in a variety of ways. Examples include:

- Agencies;
- Application and accompanying forms;
- Your CV;
- Personal identity documents such as your passport and driving license;
- Forms of assessment including online tests;
- Information collected at interview or other correspondence with you;

- Third parties, such as confidential references supplied by former employers, information from employment background check providers and information from criminal records checks; and
- Information obtained from publicly available resources.

The Schools will usually obtain personal data from third parties, such as previous employers and other referees, only once a job offer has been made to you and will inform you that it is doing so. However, unless you have objected, the Schools may seek references before an offer is made in order to comply with its safeguarding obligations. Further information can be found in the Schools' Recruitment and Selection Policy.

How the Schools Use your Personal Information

The Schools will only use your personal information for the purposes for which it was collected, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

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

You are under no statutory or contractual obligation to provide data to the Schools during the recruitment process. However, if you fail to provide certain information when requested, we may not be able to progress your application, take the steps to enter a contract with you, and/or we may be prevented from complying with our legal obligations.

The Schools' Legal Grounds for Using your Personal Data

The Schools will only use your information when the law allows it to. We rely on the following legal bases for processing your personal data:

- Where you have given clear **consent** to process your personal data for a specific purpose.
- Where it is necessary for the Schools' **legitimate interests**, such as ensuring the effective running of the Schools, looking after the Schools' communities, advertising and improving the Schools.
- Where it is necessary for compliance with a **legal obligation**, such as disclosing your data to third parties such as the Government, Police and Local Authority where we are legally obliged to do so.
- Where it is necessary to protect your or someone else's **vital interests**, for example in an extreme emergency.
- Where it is necessary for the performance of a task carried out in the **public interest**, for example safeguarding and promoting the welfare of children, facilitating the effective operation of the Schools and for providing education services.

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 the person responsible for data protection at the relevant School. 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. Any use the Schools have made of your information before you withdraw your consent will still be valid.
Special category data, which is sensitive personal information, require higher levels of protection and further justification for collecting, storing and using this type of personal information. The Schools 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 (or in relation to our pension scheme); and
- 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

The Schools 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.

Who has Access to your Personal Data and Who the Schools Share it With

The majority of your personal data collected will remain within the School to which you are applying and only be used by the people who are part of the recruitment process or otherwise on a "need to know" basis. This may include the HR Department, your potential Line Manager and the Head, Bursar or the Deputy Head at St Faith's School and the Senior Deputy Head at The Leys School.

The Schools will not share your personal data with third parties, unless your application for employment is successful and you are made an offer of employment. This is with the exception of seeking and obtaining references, which the Schools may need to do before an offer is made in order to comply with its safeguarding obligations. Once an offer has been made, the Schools may then need to share your personal 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. This may include:

- former employers to obtain references for you
- other Schools,
- employment background check providers to obtain necessary background checks
- recruitment and supply agencies;
- the Local Authority in order to meet our legal obligations for sharing data with it;
- the other School within the Foundation; and
- the Disclosure and Barring Service to obtain necessary criminal records checks.

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.

We will only share your personal data with other people or organisations where we have a lawful reason to do so and where the Schools are assured that your data will be processed securely.

Transferring Personal Data Outside the UK

We may send your personal data to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may communicate with you by email during the recruitment process, if you are making an overseas application or if you have provided referees who are based outside the UK. If this is the case, we will only transfer your personal data in this way because it is necessary for the implementation of pre-contractual measures, following your application for employment.

Where the country does not have the same level of protection for personal data as there is in the UK, we will endeavour to put reasonable safeguards in place.

Data Accuracy and Security

We take the security of your personal data seriously. Internal policies and controls are in place to ensure that your personal data is not lost, accidentally destroyed, misused, disclosed, or accessed in an unauthorised way. We limit access to your personal information to those employees, agents, contractors and other third parties who are required to know for business needs.

We will endeavor to ensure that all personal data held in relation to an individual is up to date and accurate. Individuals must please notify the relevant HR department of any changes to information held about them.

Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. The Schools are allowed to use automated decision making in limited circumstances. You will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

Your Rights

Individuals have a number of rights under Data Protection Legislation which you can exercise in certain circumstances. These include your right to:

- **Rectification** - If the data we hold about you is incorrect, you can ask us to correct it. You also have the right to ask us to complete information you think is incomplete;
- **Erasure** - You can ask us to delete the personal data we hold about you in certain circumstances;
- **Access** - You can ask what personal data we hold about you and be provided with a copy. We will also give you extra information, such as why we use the data, where it came from and what types of people/organisations it has been sent to;
- **Object to processing** - You can object to the School processing your personal data in certain circumstances;

- **Restrict processing** - You can ask the School to restrict the use of your personal data in certain circumstances;
- **Data portability** - You can ask the School to send you or another organisation certain types of personal data about you in a commonly-used machine-readable format, in certain circumstances.
- **Be informed** – You have the right to be informed about our collection and use of your personal data.

If you wish to exercise any of the above rights, please contact the person responsible for data protection at the relevant school, 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).

Certain information is exempt from the right to access. This includes, but is not limited to, information which identifies other individuals, or information which is subject to legal professional privilege. The Schools are also not required to disclose confidential references given by the Schools for the purposes of education, training or employment of any individual.

How Long Do the Schools Keep your Personal Data for?

If your application is unsuccessful, the Schools will keep your application form and any interview notes on file for up to six months; all other personal data provided in the recruitment process will be securely destroyed. Except as otherwise permitted or required by applicable law or regulation, the Schools 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.

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. You will be given the Privacy Notice for Staff for more information about the retention of your personal data in this instance.

If you require further information regarding the Schools retention period, please contact the person responsible for data protection at the relevant School for a copy of the School's Data Retention Schedule.

Privacy Notice Review

This Privacy Notice will be reviewed annually and where appropriate, amended at any time in accordance with any changes in the law or guidance provided by the Information Commissioner's Office (the "ICO"). Where appropriate, the Schools will notify data subjects of those changes in writing (including electronically).

Queries and Complaints

Any comments or queries on this Privacy Notice, or, if you feel that either Schools has not acted properly when using your personal information, you may contact the person responsible for data protection at the relevant School. Alternatively, if you are not satisfied with the way the relevant School has handled your personal data, you may contact the Schools' externally appointed Data

Protection Officer (DPO) who oversees the Schools' compliance with data protection and this Privacy Notice. The relevant contact details can be found within this Privacy Notice, above.

The ICO, the UK supervisory authority for data protection issues, recommends that steps are taken to address any concerns relating to the use of your data with the School directly, before involving the regulator. However, you have the right to make a complaint at any time to the ICO by phone on 0303 123 1113. Further information can be found at https://ico.org.uk/concerns.