



Heart of England School Job Applicant's Privacy Notice

This document

The Information Commissioner's Office (ICO) requires all businesses to produce a Privacy Notice that is easy to understand.

Privacy Notices are for the Data Subjects to read.

To make this Privacy Notice easier to understand it is written with the reader in mind.

Definitions

Data Subject – The people about whom the School holds data. These can be students, parents/carers, staff, Trustees, visitors, and contractors. The people may be involved with the direct care of students, for example medical staff and social workers.

Data Controller – The Heart of England School is responsible for looking after the data which it holds and which it uses other organisations to hold.

You/Your – when the word “you” is used in this document it is referring to the Data Subject. The person whose data is being held. People aged under 13 have parents/carers to look after their data. Generally, from the age of 13, if a person is regarded as “able to use and understand information to make a decision and communicate the decision made” and they can look after their own data.

We/Us – The Data Controller. The Heart of England School.



Introduction.

- 1) Under data protection law, individuals have a right to be informed about how the School 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.
- 2) This Privacy Notice explains how we collect, store, and use personal data about individuals applying for jobs at our school. The overarching Privacy Notice detailing how we process data generally may be found on our school website, under About Us.
- 3) Heart of England School is the data controller for the purposes of data protection law.
- 4) Our Data Protection Officer is supervised by Solihull Metropolitan Borough Council (see 'Contact us' below).
- 5) Successful candidates should refer to our privacy notice for the school workforce for information about how their personal data is collected, stored, and used.

The personal data we hold.

- 1) We process data relating to those applying to work at our school. Personal data that we may collect, use, store, and share (when appropriate) about you includes, but is not restricted to:
 - Application forms.
 - Contact details.
 - Copies of right to work and identity documentation.
 - References.
 - Evidence of qualifications.
 - Employment records, including work history, job titles, training records and professional memberships.
 - CCTV footage.
 - We may live stream interviews via an online platform. We will advise you if it is to be recorded.
- 2) We may also collect, store, and use information about you that falls into "special categories" of more sensitive personal data:
 - Racial or ethnic origin.
 - Political opinions.
 - Religious or philosophical beliefs.
 - Trade union membership.
 - Genetic data.
 - Biometric data for the purpose of uniquely identifying a natural person.
 - Data concerning health.
 - Data concerning a natural person's sex life or sexual orientation.



- 3) We may process data about criminal convictions or offences. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights, to look after our students and staff or to support the police and other relevant agencies.
- 4) We will only use information about criminal convictions or offences where the law allows us to. Usually this will either be either on the basis of our legal obligations in relation to safeguarding, preventing fraud, health, and safety or with your consent. We also need to identify the relevant condition for the processing, this will usually be substantial public interest. We do not retain DBS certificates beyond a period of 6 months.
- 5) Please refer to our Special Categories of Personal Data Policy in our Data Protection Policy for further information as to how we process this. This is on the website under About Us.

Why we use this data.

- 1) The purpose of processing this data is to aid the recruitment process by:
 - Enabling us to establish relevant experience and qualifications and information provided to assist us to appoint the most suited candidate for the advertised position.
 - 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.
- 2) We only collect and use personal information about you when the law allows us to. Most commonly this is so that we can:
 - Take steps to enter into a contract (e.g., employment contract with you).
 - Comply with a legal obligation.
 - Carry out a task in the public interest.
- 3) 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.
- 4) Where we process more sensitive data (known as special category personal data) on you we need an additional legal basis. The bases we mainly use are:
 - Legal obligation.
 - Substantial public interest.
 - Statutory and government purposes (e.g., Ofsted, DfE).
 - Equality of opportunity or treatment.
 - Preventing and detecting unlawful acts.
 - Preventing fraud.
 - Support for individuals with a particular disability or medical condition.
 - Explicit consent.



- For the purpose of medical diagnosis and prevention (e.g., School nurse Team, ensuring staff are aware of allergies).
 - To maintain your vital interests where consent is physically or legally impossible to acquire (e.g., where you are unconscious and in need of medical assistance), and where your health data is then shared.
- 5) Where you have provided us with consent to use your data, you may withdraw this consent at any time. In such cases, we will cease to process the data. We will make this clear, both requesting your consent and explaining how you go about withdrawing consent if you wish to do so.
- 6) 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.

Collecting this information

As part of the recruitment process, we are required to collect certain information from you to comply with our legal responsibilities, and mandatory fields on application forms must be fully completed. However, in some instances you can choose whether to provide some information to us, for example information required in connection with equal opportunities monitoring. 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

- 1) Personal data we collect as part of the job application process is stored in line with our data retention policy, which is available upon request. For unsuccessful candidates the information is retained for 6 months after the date of the appointment. For successful candidates this is held for the duration of their employment, plus 6 years after termination of your employment, unless there is good reason for us to retain it for a longer period – for example in conjunction with our safeguarding responsibilities, or if we are notified of a legal claim.
- 2) When it is no longer required, we will delete or securely dispose of the information.

Data sharing

- 1) We do not share information about you with any third party without your consent unless the law and our policies allow or require us to do so.
- 2) Where it is legally required or necessary (and it complies with data protection law), we may share personal information about you with:
 - Our local authority or other statutory bodies – to meet our legal obligations to share certain information with it, such as shortlists of candidates for a headteacher position.
 - Suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR and recruitment support.
 - Professional advisers and consultants.



- Employment and recruitment agencies.
 - Internally with Governors if they were involved with an appointment.
- 3) Occasionally with our Data Protection Officer e.g., in the event of a subject access request.

Transferring data internationally.

In the event that we have to transfer personal data from the UK to a country or territory outside of the European Economic Area, we will do so in accordance with data protection law and obtain sufficient safeguards.

How to access the personal information we hold about you.

- 1) Individuals have a right to make a Subject Access Request to gain access to personal information that the school holds about them.
- 2) 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.
- 3) You may also have a 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 the school office.

Your rights.

Data Protection law allows an individual to:

- 1) **Ask the school for copies of the information we hold about you or your children:** If you would like more information about this please contact the school's [Data Protection Officer](#); you do not have to complete a special form for this.
- 2) **Have incorrect information put right:** If at any point you believe the information we hold is inaccurate or you have concerns about our use of it please let us know.
- 3) **Have your data removed from our digital systems:** Depending on the circumstances we can erase the personal information.
- 4) **Only allow some of the processes:** Depending on the circumstances you can ask us to restrict the processing of the personal information.
- 5) **Object to processing:** Depending on the circumstances you can object to the processing of personal information.



- 6) **Ask for the data to be transferred:** Depending on the circumstances we can transfer the personal information to another organisation.

On most of the occasions there is no charge for these rights to be exercised. We have up to a month (of working days) to respond to your request.

Contact and Complaints

For more information on the content of this notice, how Heart of England School complies with Data Protection law or if you wish to raise a complaint on how we have handled personal information please contact the school's [Data Protection Officer](#), who will respond or investigate the matter.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with Data Protection law, you can complain to the Information Commissioner's Office ([ICO](#)).

The current Data Protection Officer for Heart of England School, Gipsy Lane, CV7 7FW is:

- Mrs Joan Fuller Tel: 01676 536732
- **Email:** dataprotection@heart-england.co.uk

For more information about how the LA stores and uses the information we pass to them, please contact Education Information Management Services:

- Tel: 0121 704 8313
- Email: eims@solihull.gov.uk