



# HALL GREEN SCHOOL

## PRIVACY NOTICE FOR RECRUITMENT

<b>Adopted:</b>	January 2023
<b>Next Review:</b>	September 2023
<b>Governing Committee:</b>	Full Governing Body
<b>Responsibility:</b>	Headteacher Data Protection Officer

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## **1. Introduction**

Under UK data protection law, individuals have a right to be informed about how our 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.

This privacy notice explains how we collect, store and use personal data about individuals applying for jobs at our school.

We, Hall Green School, are the 'data controller' for the purposes of UK data protection law.

Our Data Protection Officer is Mr Stephen Ancell (see 'Contact us' below).

## **2. The personal data we hold**

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- your name and contact details (i.e. address, home and mobile phone numbers, email address);
- details of your qualifications, training, experience, duties, employment history (including job titles, salary, relevant dates and working hours), membership of professional bodies and interests;
- your racial or ethnic origin, sex and sexual orientation;
- information regarding your criminal record;
- details of your referees;
- whether you are related to any member of our workforce; and
- details of any support or assistance you may need to assist you at the interview because of a disability.

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers
- confirmation of your academic and professional qualifications (including seeing a copy of certificates)
- information via the DBS process, regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs), whether you are barred from working in regulated activity
- your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information
- medical check to indicate fitness to work
- a copy of your driving licence (or other appropriate documentation as listed on the Home Office list)
- if you are a teacher, we will check the National College of Teaching and Leadership ("NCTL") Teachers Services about your teacher status, whether you are subject to a

prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts and EEA teacher sanctions)

- equal opportunities' monitoring data
- online shortlisting search information (i.e. Google and Social Media Platforms)
- photographs and CCTV images captured in school.

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

### **3. Why we use this data**

We use the data listed above to:

- (a) to assess your suitability for the role you are applying for
- (b) to take steps to enter into a contract with you
- (c) to check that you are eligible to work in the United Kingdom or that you are not prohibited from teaching
- (d) facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- (e) enable equalities monitoring
- (f) ensure that appropriate access arrangements can be provided for candidates that require them.

#### **3.1 Use of your personal data for marketing purposes**

We do not currently process any personal data for marketing purposes.

#### **3.2 Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

### **4. Our lawful basis for using this data**

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- For the purposes of A, B, C, D, E, F, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here: fair recruitment, upholding our responsibilities with regard to equality of opportunities
- For the purposes of A, B, C, D, E, F, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us.

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 would go about withdrawing consent if you wish to do so.

#### **4.1 Our basis for using special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation.

## **5. Collecting this data**

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals.

## **6. How we store this data**

We keep personal information about you during the application process. We may also keep it beyond this if this is necessary. Our Information Management Toolkit for Schools document sets out how long we keep information about applicants.

If you would like to request a copy of the above document please contact Mrs P Elliott, PA to the Headteacher via email [p.elliott@hallgreen.bham.sch.uk](mailto:p.elliott@hallgreen.bham.sch.uk) or telephone 0121 628 8787.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

## **7. Who we share data with**

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

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

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- 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

### **7.1 Transferring data internationally**

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## **8. Your rights**

### **8.1 How to access personal information that we hold about you**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- 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 us (see 'Contact us' below).

## 8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge 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
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact us (see 'Contact us' below).

## 9. **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.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **10. 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 Officer:

- Mr Stephen Ancell on 0121 628 8787 or via email [s.ancell@hallgreen.bham.sch.uk](mailto:s.ancell@hallgreen.bham.sch.uk).