

# Pickwick Academy Trust



## Privacy Notice for Job Applicants

**Last reviewed:** May 2023

**Review Cycle:** 24 months or as required

### Relevant Legislation

This document has been prepared in accordance with the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and other related legislation and applies to all schools and operations of Pickwick Academy Trust.

We collect and process your personal information as part of the recruitment process in relation to the role you are applying for.

All Headteachers/Heads of School and Senior Leaders involved in the recruitment process have responsibility for ensuring that applicants' personal information is held and processed in the correct way.

### What is personal data?

**Personal data** is any information that relates to you and can be used directly or indirectly to identify you, such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person (UK GDPR Article 4).

**Special categories of personal data** means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric/genetic data (UK GDPR Article 9).

### What data do we hold on you?

The personal data we hold regarding you can include, but is not limited to, information such as:

- Your name and address
- Email address and telephone number
- Date of birth
- Equal opportunities monitoring information
- Your nationality and entitlement to work in the UK
- National insurance number
- Information about your current salary and benefits
- Qualifications and skills
- Work experience and employment history
- Information about your criminal record
- Disability status to enable us to make any reasonable adjustments throughout the recruitment process

### Why we use your personal data

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

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- Facilitating safe recruitment (including applicant's entitlement to work in the UK), as part of our safeguarding obligations towards pupils
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates that require them

We only collect and use personal information about you when the law allows us to. Most commonly:

- 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

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)

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 incapable of giving consent (e.g. where you are unconscious and in need of medical assistance), and where your health data is then shared)

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 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 school's use of your data.

## **Who has access to your personal data?**

Your personal data may be shared internally with other members of staff involved in the recruitment process for them to perform their roles. Throughout the recruitment process we maintain strict confidentiality regarding your information and only retain the personal information of unsuccessful applicants as per our retention schedule.

## **How do we protect applicants' personal data?**

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Our servers and storage systems are based in the EU or the European Economic Area (EEA) and we have ensured that appropriate safeguards are in place to protect your personal data.

We take the security of your personal data very seriously. Internal policies and controls are in place to try to ensure that data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by our employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. For example, we ensure that we use encrypted devices, passwords, virus protection and have appropriate firewalls.

## **How long do we keep your personal information?**

We hold your personal information for no longer than we need to and in accordance with our data retention schedule which can be obtained from our Data Protection Officer.

## **What rights do you have in relation to your information?**

You have the following rights in relation to your personal data:

- The right of access to the personal data and supplementary information - this right is to enable you to be aware of and verify the lawfulness of the personal data we are processing.
- The right to rectification - this right allows you to have personal data rectified if it is inaccurate or incomplete.
- The right to erasure - this is also known as the 'right to be forgotten'. This is not an absolute right and applies in specific circumstances.
- The right to restrict processing - this right applies in circumstances where, for example, the data subject contests the accuracy of the data or challenges the public interest or legitimate interest basis.
- The right to data portability - this allows individuals to obtain and reuse their personal data provided to us for their own purposes.
- The right to object. Individuals have the right to object to:
  - Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority
  - Direct marketing
  - Processing for scientific/historical research and statistics
- Rights in relation to automated decision making and profiling

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance by contacting the school/trust or the Data Protection Officer at [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk). Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Withdrawal of consent**

Where we are processing your data with your consent, you have the right to withdraw that consent if you change your mind or are unhappy with our use of your personal data. Please let us know by contacting the school/trust or the Data Protection Officer on [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk)

## **Contact**

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If you would like to discuss anything in this Privacy Notice, please contact the school/trust or Data Protection Officer on [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk)