

## **Privacy Notice – Job Candidates**

### **What is the purpose of this document?**

St Mary's School (Colchester) Limited (the "School") is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### **The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal e-mail address, date of birth, gender, employment history and qualifications.
- Any information you provide to us during an interview.
- Education/further education examination results.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition and disabilities you may have.
- Information about criminal convictions and offences.

### **How is your personal information collected?**

We collect personal information about candidates from the following sources:

- You, the candidate.
- Disclosure and Barring Service (DBS) in respect of criminal convictions.
- Named referees (from your application), from whom we collect the following categories of data: employment history, salary, sickness record, suitability to work with children, performance history, disciplinary procedures, allegations relating to the safety and welfare of children.

### **How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the work placement/role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the work placement/role since it would be beneficial to our School to appoint someone to that work placement/role.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your application and the results from any assessments or test, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will then take up references and will use the information you provide to us at the interview to decide whether to offer you the role/placement. If we decide to offer you the role/placement, we will carry out a criminal record check, before confirming your appointment.

### **If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application such as evidence of qualifications or work history, we will not be able to process your application successfully. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## **How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during the interview.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **Information about criminal convictions**

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role/work placement, conditional on checks and any other conditions, such as references, being satisfactory. We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- We are legally required to carry out criminal record checks.
- The roles within a school are roles which are listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (*SI 1975/1023*) and is also specified in the Police Act 1997 (Criminal Records) Regulations (*SI 2002/233*) so is eligible for an enhanced check from the Disclosure and Barring Service.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

## **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **Data sharing**

### **Why might you share my personal information with third parties?**

We will only share your personal information with the following third party for the purposes of processing your application: Disclosure and Barring Service and referees (as provided in your application). All our third-party service providers are required to take appropriate security measures to protect your personal information, in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **Data security**

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from Data Protection Manager.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## ***Data retention***

### **How long will you use my information for?**

We will retain your personal information for a period of 4 months after we have communicated to you our decision about whether to appoint you to the role/work placement. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our policy and applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

## ***Rights of access, correction, erasure, and restriction***

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you

want us to establish its accuracy or the reason for processing it.

- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Data Protection Manager, in writing.

### **Right to withdraw consent**

As part of the application process, you provided consent to us to process your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the Data Protection Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our policy, we will dispose of your personal data securely.

### **Data Protection Manager**

We have appointed a Data Protection Manager (DPM) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPM, Sean Cooke, on [dpm@stmaryscolchester.org.uk](mailto:dpm@stmaryscolchester.org.uk)

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.