

PRIVACY NOTICE – CANDIDATES FOR EMPLOYMENT

ISI Reference:	
Rationale for the Policy:	This policy is created to ensure that The Grammar School at Leeds, GSAL Transport Ltd, and GSAL Enterprises (together GSAL) meets its data protection obligations, including those provided for in data protection legislation, whilst adhering to statutory requirements already extant within the education sector.
Policy aim:	To fulfil the transparency principle under the UK GDPR to inform job applicants and candidates of the data processing activities undertaken at GSAL.

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Agreed and Authorised by:	SLT
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The School runs on FREDIE principles:
Fairness, Respect, Equality, Diversity, Inclusion and Engagement

1. General Principles

- 1.1. The Grammar School at Leeds ("GSAL", "the school") is a data controller with registered address at Alwoodley Gates, Harrogate Road, Leeds, LS17 8GS and is committed to ensuring that the personal data of its staff is handled in accordance with the principles set out in the UK General Data Protection Regulation (GDPR).
- 1.2. The school will process your information in accordance with the Data Protection Act, the GDPR and its own Data Protection Policy and Data Retention Schedule. To comply with the law, data must be collected and used fairly, stored safely and securely, be adequate, relevant and not excessive, be kept accurate and up to date, held only as long as necessary and not disclosed to any third party unlawfully.
- 1.3. This policy applies to individuals applying for a position at GSAL whether as an employee or under any other contractual or voluntary arrangement, including prospective consultants, coaches, casual workers, supply staff, visiting music teachers, agency workers, extra-curricular providers, volunteers and individuals on work experience ("Applicants").
- 1.4. This policy describes the categories of personal data that we collect, how we use your personal data, how we secure your personal data and when we may disclose your personal data to third parties. It also describes your rights regarding your personal data and how you can access, correct, and request erasure of your personal data.

2. What information do we hold?

- 2.1. This information is normally initially provided to the school by you through an online application form via a third-party recruitment website (networkx).
- 2.2. To carry out our activities and obligations as a prospective employer, we may collect, store, and process the following categories of personal data about you:
 - 2.2.1. personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
 - 2.2.2. date of birth;
 - 2.2.3. equal opportunities monitoring information;
 - 2.2.4. copies of identification;
 - 2.2.5. government identification numbers such national insurance number, driver's licence number or other identification card number;
 - 2.2.6. qualifications, education and training records;
 - 2.2.7. employment records (including professional memberships, references, work history, and proof of work eligibility);
 - 2.2.8. Information of whether you have worked overseas so we can make the necessary checks; and
 - 2.2.9. other personal details collected during the recruitment process, or other information that you otherwise voluntarily provide to us.

2.4 Collection and use of special categories of personal data

We may collect and process special categories of personal data and data relating to criminal convictions and offences, for a variety of purposes including undertaking screening (e.g. medical screening, right to work in the U.K., security screening, suitability to work with children, and safeguarding etc.) monitoring equal opportunities, making or considering workplace adjustments, management of health and safety or other legal obligations. Such special categories of personal data may include:

- 2.2.10. Information about an applicant's racial and ethnic origin, religion, beliefs and disability information to ensure meaningful equal opportunity monitoring and reporting;
- 2.2.11. physical or mental health condition or disability information to provide appropriate adjustments where required during the recruitment stages, and to assess an applicant's suitability for the role;

- 2.2.12. information about past criminal convictions and cautions that are not filtered, as a condition of employment for all posts, as required by applicable statute;

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to disabilities).

Where we process other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring.

3. Why do we process personal data?

- 3.1. We collect and process your personal information in order to manage our potential and subsequent employment relationship with you which includes:

- 3.1.1. Managing Human Resources processes such as recruitment and selection;
- 3.1.2. Communicating with you regarding the vacancy and recruitment process if you have been shortlisted for the role;
- 3.1.3. Monitoring equal opportunities and statistical analysis;
- 3.1.4. Where applicable, communicating with you if other similar/suitable vacancies arise;
- 3.1.5. Seeking references from current/former employers;
- 3.1.6. Responding to and defending any legal claims that may arise from the recruitment process.

Lawful basis

- 3.2. We process your personal data for the following purposes:

- 3.2.1. In order to take steps to enter into a contract.

- 3.3. In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing prospective candidate's data allows GSAL to:

- 3.3.1. Run recruitment and promotion processes;
- 3.3.2. Operate and keep a record of candidates who have applied for a role;
- 3.3.3. Ensure effective general HR and business administration;
- 3.3.4. To allow GSAL to appoint staff, contractors and volunteers.

4. How do we use your information within the school?

- 4.1. GSAL is required to obtain information about past criminal convictions and cautions that are not filtered, as a condition of employment for all posts. The school also undertakes DBS checks on all staff.
- 4.2. The amount of personal information shared within GSAL will be no more than is reasonably necessary.
- 4.3. We will use your personal data to answer your questions, enquiries and use your information on an anonymised basis to produce internal reports in relation to the candidate recruitment experience.
- 4.4. We will also use your personal data to improve our customer service and to make our services more valuable to you.

5. Who has access to your data?

- 5.1. Within the school, personal data may be shared between colleagues who legitimately need the information to carry out appropriate recruitment processes.
- 5.2. The school shares your data with third parties in order to obtain pre-employment references from other employers, employment background checks from third-party providers,

necessary criminal records checks from the Disclosure and Barring Service (DBS), Teaching Regulation Agency.

6. Do we transfer your personal data to other countries?

We do not envisage transferring your personal data outside of the UK other than as indicated above and we have a commitment from our business partners and data processors that they too will honour this commitment. However, where you have worked outside of the UK, as part of our pre-employment checks, we may contact your appropriate employers for confirmation of your previous employment details, and other agencies as necessary for the compliance of relevant statutory checks. In such cases, we ensure that appropriate security and data protection measures are in place to protect your data including, for example, data minimisation, use of secure portals to transfer personal data and/or encryption of information. We will not permit personal data to be transferred or processed outside the UK, unless the processing meets the conditions set out within the GDPR regarding safety mechanism.

7. How does the school protect your personal data?

- 7.1. The school takes the security of your data seriously. Internal policies and controls have been put in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.
- 7.2. Where the school engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

8. For how long does the organisation keep data?

Your data will be retained for the duration of the recruitment process and, if your application is unsuccessful, 6 months after the closure of the vacancy after which it will be destroyed securely. Your information will be retained for this period to allow candidates to challenge recruitment decisions. Successful candidate's information required for employment purposes will be retained throughout your employment, all other documentation not relevant will be securely destroyed 6 months after your start date has been confirmed, this includes any supporting documentation which you provide for criminal reference checking and proof of address.

9. Your rights

You have a number of rights under Data Protection Legislation, which include:

- 9.1. **Right of Access** – You have the right of access to information we hold about you. We have up to one month to provide you with the information and at no cost to you. We will provide you with a copy of the information we hold that relates to you. For more information, please see our Data Protection Policy.
- 9.2. **Right to rectification or erasure** – If you feel that any data we hold about you is inaccurate, you have the right to ask us to correct or rectify it. You also have a right to ask us to erase information about you where you can demonstrate that the data we hold is no longer needed by us, or if you feel that we are unlawfully processing your data. Your right of rectification and erasure extends to anyone we have disclosed your personal information to and we will shall take all reasonable steps to inform them about your request.
- 9.3. **Right to Restriction of processing** – you have a right to request that we refrain from processing your data where you contest its accuracy, or the processing is unlawful and you have requested its erasure, or where we don't need to hold your data anymore but you need us to in order to establish, exercise or defend any legal claims, or we are in dispute about the legality of our processing your personal data.

- 9.4. **Right to object** – you have a right to object to our processing of your personal data where the basis of the processing is our legitimate interests including but not limited to direct marketing and profiling.
- 9.5. **Right to data portability** - you have a right to receive any personal data that you have provided to us in order to transfer it onto another data controller where the processing is based on consent or performance of a contract and is carried out by automated means. This is called a data portability request.
- 9.6. **Rights related to automated decision-making, including profiling** – you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- 9.7. If you would like to exercise any of these rights, please contact Data Protection Officer, Data Protection People at dpo@gsal.org.uk (or by post to 'care of' Data Protection People, Grammar School at Leeds, Alwoodley Gates, Harrogate Road, Leeds, LS17 8GS). For internal queries regarding this Privacy Notice, you can contact Vicki Lawson at dpo@gsal.org.uk.
10. More information about your data protection rights can be found on the Information Commissioner's Office (ICO). You also have a right to lodge a complaint about any aspect of how we are handling your data with the ICO and can do so by contacting:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113 | www.ico.org.uk

11. Automated decision-making

We do not make any decisions about you, using automated means and we do not envisage this changing in the near future. If the situation does change, we will notify you in writing.

12. What if you do not wish to provide personal data?

- 12.1. In order to process applications, you are required to provide the school with your personal data.
- 12.2. Certain information, such as contact details, your right to work in the UK and statutory employment checks, have to be provided to enable the school to effectively administer your application. If you do not provide this information, the school will not be able to administer your rights and fulfil obligations arising from the recruitment process.

13. Changes to this Privacy Notice

We may change this Privacy Notice from time to time. Any significant changes to the terms will be published on the school's website and you will be notified of such changes. .