

How We Use Your Information Recruitment Privacy Notice

Christ College, Brecon

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Introduction

- 1 This Privacy Notice (**Notice**) is to help you understand **how** and **why** we collect personal data about you in relation to the recruitment process and **what** we do with that information. It also explains the decisions that you can make about your information.
- 2 This Notice is aimed at all applicants for jobs with us, or candidates at any stage in the recruitment process. If your application is successful, this Notice will not form any part of any contractual documents and you will be provided with a new privacy notice to explain how and why we collect personal data during and after your employment.

What is "personal data"?

- 3 Personal data is information which is about you and from which you can be identified.
- 4 This includes your contact details and the information you provide to us regarding your work history.

What personal data does the School hold about you and how is this obtained?

- 5 Information about you is gathered during the recruitment process for example:
 - 5.1 information about your education, qualifications and professional achievements;
 - 5.2 when you provide certain information to us, for example, on your CV or application form and during any interviews;
 - 5.3 when we obtain information from publicly available sources such as your professional and social media profiles; and
 - 5.4 when we receive your personal data (from you and third parties) in carrying out pre-employment checks, for example, when we receive references from your previous employer and / or education provider, confirmation of your fitness to work, your right to work in the UK and criminal records checks.
- 6 We will hold information about any physical or mental health condition you may have which is disclosed to the School during the recruitment process.

The purposes for which we use your information and the legal bases

- 7 We use your information in order to:
 - 7.1 assess your skills, qualifications and suitability for the job or vacancy;
 - 7.2 carry out background and reference checks;
 - 7.3 communicate with you about the recruitment process;
 - 7.4 to assist the School regarding the management and operation of the School and to advance and protect the School's interests, objects and reputation. ; and
 - 7.5 to assist the School comply with legal and regulatory requirements.
- 8 Our legal bases for using your personal data are as follows:
 - 8.1 **Legitimate interests:** This means that the School is using your personal data where this is necessary for the School's legitimate interests or someone else's legitimate

interests. Specifically, the School has a legitimate interest in recruiting suitable candidates to support the School's legitimate interests in educating and looking after its pupils, and complying with its agreement with parents for their child to be at the School. The School also has a legitimate interest in protecting the School (e.g. if you make a complaint), and promoting and improving the School. In addition your personal data may be processed for the legitimate interests of others. This basis applies to all of the purposes set out at paragraph 7.

8.2 **Public task:** This allows the School to use personal data where doing so is necessary in order to perform a task in the public interest. This basis applies when the School is using personal data in order to educate and look after its pupils and recruiting suitable employees is necessary to support these objectives. This basis applies when we use personal data for the purposes set out in paragraphs 7.1 to 7.5 above.

8.3 **Legal obligation:** As a School we have to comply with various laws and this entitles us to use your information where necessary. For example to fulfil our safeguarding duties towards pupils.

8.4 **Vital interests:** In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

8.5 **Contract:** If we offer you a job, we will need to use your personal data in order to comply with our contractual obligations and for you to perform your obligations as well. This basis may also apply where you have asked us to do something before entering into a contract.

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

9.1 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 an interview.

9.2 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.

10 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.

Our purposes and legal bases in more detail

11 This section contains more detail about the purposes for which your personal data is used, the applicable lawful basis or bases as well as further information about sources and recipients. It does not say anything different to what's set out above but goes into a lot more detail.

12 We have used a colour code system so that you can see which bases we are relying on for each of the purposes described in paragraph 7 above. **LI** means legitimate interests, **CT** means contract, **PI** means public task, **LO** means legal obligation and **VI** means vital interests.

So if we have (LI, PI) that means we are relying on both legitimate interests and public task for that purpose.

13 We commonly use personal data for:

13.1 providing education and support to our pupils (LI, PI);

13.2 fulfilling our safeguarding duties towards pupils and others (LI, PI, LO);

13.3 ensuring that we provide a safe and secure work environment (LI, PI);

13.4 safeguarding and promoting the welfare of, staff, pupils and others. This includes equal opportunities monitoring (LI, PI);

13.5 fulfilling our contractual and other legal obligations (CT, LO).

14 Some specific examples of when the School uses your personal data are set out below:

14.1 We use your personal data to consider your suitability to work in your role at the School (LI, LO, PI).

14.2 We will check that you have the right to work in the UK by reviewing your identification documents and keeping copies on your personnel file (LI, LO).

14.3 We use CCTV recordings for the purposes of crime prevention and investigation and also in connection with our obligation to safeguard the welfare of pupils, staff and visitors to the School site. Further information about the use of CCTV can be found in the School's Data Protection policy a copy of which is published on the School's website. (LI, PI).

14.4 We will use your personal data to take other steps to make sure the school site and buildings are safe, for example, we keep CCTV recordings of who is on the school site at any given time (LI, PI).

14.5 We may use your information in connection with legal disputes (LI, PI, LO).

14.6 We will hold information about any protected characteristics you may have (e.g. a disability). This helps us make reasonable adjustments. (LI, PI, LO).

15 We will need to share your information with the Disclosure and Barring Service (DBS), Atlantic Data Services when complying with our legal duty to carry out pre-appointment suitability checks (LI, LO, PI).

16 Occasionally we may use consultants, experts and other advisors (including legal advisors and accountants) to assist us in fulfilling our obligations and to help run the School properly. We will share your information with them if this is relevant to the work they carry out (LI, PI).

17 We must check if you can work in the UK before we employ you. Additionally, if you are sponsored by us under Tier 2 or Tier 5 in certain circumstances we will have to provide information about you to UK Visas and Immigration to comply with our duties as a Tier 2 / 5 sponsor (LI, LO).

18 Some of the records the School keeps and which contain your personal data may be used by the School (or by someone else such as the government) to check that the School has been a good school (LI, PI).

- 19 If appropriate, we will share your information with individuals connected to the School who are exercising their data protection rights, for example, when responding to a subject access request (LI, LO).
- 20 We may need to share your information if there is an emergency, for example, if you are hurt in an accident (LI, PI).
- 21 As you will see from the above, in some cases we will rely on more than one lawful basis for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal data with the local authority in addition to the other legal bases which are noted for safeguarding purposes.
- 22 We use contractors to handle personal data on our behalf for the following purposes:
- 22.1 IT consultants who might access information about you when checking the security of our IT network; and
- 22.2 we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.
- If you have any questions about any of the above, please speak to the Bursar.
- 23 The School must also comply with an additional condition where it processes more confidential or special categories of personal data. These special categories are as follows: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, criminal convictions or offences, and information about sex life or orientation. When the School handles these types of information it will usually be doing so because:
- 23.1 it is in the substantial public interest to do so, for example, to assist the School comply with its safeguarding obligations.
- 23.2 it is necessary for the purposes of carrying out the obligations and exercising specific rights of the School and staff in the field of employment, social security or social protection. Social security and protection is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing. For example, sometimes this would allow us to disclose your information to third parties such as the DBS or occupational health services.
- 23.3 to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.
- 23.4 it is necessary for the establishment, exercise or defence of legal claims. For example, this allows us to share information with our legal advisors and insurers.
- 24 We may share your personal data with Governors of the School if it concerns something it would be appropriate to tell them about for the purposes set out in this notice (LI, PI).

Transfers of your personal data overseas

- 25 We may send your information to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may store your information on cloud computer storage based overseas.

- 26 The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en
- 27 If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal data as there is in the UK.
- 28 We will provide you with details about the safeguards which we have in place outside of this privacy notice.

For how long does the School keep recruitment personal data?

- 29 We will usually retain your personal information for a period of six months after we have communicated to you our decision about whether to appoint you.
- 30 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, subject to the paragraphs below, securely destroy your personal information in accordance with our Records retention policy.
- 31 Sometimes we may need to keep your information for longer, for example, where we consider this is necessary to comply with duties to any regulatory or statutory authority, statutory inquiry or similar body or in relation to our safeguarding obligations or if you have made a complaint about any aspect of the recruitment process.
- 32 We may also retain your personal data for longer if we have agreed to keep your application on file in case another suitable vacancy arises. We will always provide you with further information before doing this.

Processing in line with your rights

- 33 Data protection legislation gives you a number of rights regarding your information. Your rights are as follows:
- 33.1 correction: if information the School holds about you is incorrect you can ask us to correct it.
- 33.2 access: you can also ask what information we hold about you and be provided with a copy of it. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- 33.3 deletion: you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- 33.4 portability: you can request the transfer of your information to you or to a third party in a format that can be read by computer. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your information is consent or contract (please see "Our legal bases for using your information" above); and (c) the information is being processed by us on computer.

33.5 object: you may object to us using your information where:

33.5.1 we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);

33.5.2 the lawful basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above;

33.5.3 if we ever use your information for scientific or historical research purposes or statistical purposes.

33.6 restriction: you can request that we restrict how we use your personal data.

34 To exercise any of your rights you can submit your request in writing to the Data Protection Officer.

Consent

35 We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the tables above. If we ask for your consent to use your personal data you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. You can speak to the Bursar if you would like to withdraw any consent given.

Further information

36 This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional employment or contractual rights.

37 Contact: If you would like any further information about anything within this notice please contact the Bursar. The Bursar's contact details are info@christcollegebrecon.com.

38 Please speak to the Bursar if:

38.1 you would like us to update the information we hold about you; or

38.2 you would prefer that certain information is kept confidential.

39 You have a right to lodge a complaint with a data protection supervisory authority. The supervisory authority in the UK is the Information Commissioner's Office - www.ico.org.uk. If you do have any concerns about how we have handled your personal data we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.