

ABBEY SCHOOL FOR EXCEPTIONAL CHILDREN

PRIVACY NOTICE - APPLICANTS



Version number	1.1	Date	30.1.2020
Approved by	Senior Leadership Team	Date	August 2020
Last reviewed on	Summer 2020		
Next review due by	Summer 2021		

Other relevant policies:

Recruitment Policy and procedure

Relevant legislation:

[General Data Protection Regulation \("GDPR"\)](#)

[Data Protection Act 2018](#)

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1. Introduction

This Privacy notice (“the Notice”) is to help you understand how and why we collect your personal information.

Under 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 law by providing “privacy notices” to individuals where we are processing their personal data.

This privacy notice applies to all individuals applying for jobs at our school (“you”, “your”)

If your job application is successful and you accept our offer of employment then your personal information will be processed in accordance with a separate Privacy Notice for staff.

We, Abbey School Limited, 10-12 Abbey Square, Chester, CH1 2HU, 01244 960000, are the “data controller” for the purposes of data protection law.

Our data protection officer is Louise Rushforth, see [Contact us](#) below

2. How we get your information

We may collect your personal data in a number of ways, for example:

- From the information you provide to us before making a job application, for example when you register an interest via email;
- When you submit a formal application to work for us, and provide your personal data in application forms and covering letters;
- From third parties, for example the Disclosure and Barring Service (DBS) and referees

3. What personal data we process

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

- Your name, title, gender, nationality and date of birth
- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job title, training records and professional memberships

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 limited to:

- Information about race, ethnicity, religious beliefs, sexual orientation and political opinions
- Information about disability and access requirements
- Photographs and CCTV images captured in school
- 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.

4. Why we use this data

We use the data listed above to:

- a) Enable us to establish relevant experience and qualifications
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- c) Ensure that appropriate access arrangements can be provided for candidates that require them
- d) Enable us to identify you

4.1. 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.

5. Lawful basis for processing your personal data

Our lawful bases for processing your personal data for the purposes listed in [Section 3](#) above are as follows:

- To comply with a legal obligation, including:
 - Checking your right to work in the UK
 - Equalities Act
 - Health and Safety legislation
 - Safer recruitment
 - Keeping Children Safe in Education
- To enable us to enter into a contract with you, because by applying for a job with us you are effectively asking us to enter into a contract with you
- On a “legitimate interests” basis where we have a compelling reason, including:
 - For security purposes, including operating CCTV in various locations of the school’s premises
 - To review and consider your personal data so we can select the most appropriate candidates for the job
 - To safeguard pupils’ welfare
 - To provide you with information about employment opportunities within the organisation, where you have asked for this.

5.1. 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 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 and social care purposes, 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 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

6. How long we keep your personal data

We will keep your data for no longer than necessary.

If your job application is successful and you accept our offer of employment or another form of engagement with us, then your personal information will be retained and processed for the purpose of your role in accordance with our Privacy Notice.

If you are not offered a job or if you do not ultimately take up the role offered to you, we will retain your personal information for a period of six months.

If we wish to retain your details on file for considering you for future employment opportunities, we will write to you separately, seeking your consent to retain your personal information for a fixed period on that basis. If you agree, you may write to us at any time to change your mind.

7. How we store your information

We keep personal information about you during the application process. We may also keep it beyond this if necessary. Our record retention policy sets out how long we keep information about applicants.

Abbey School record retention policy can be requested by contacting the school.

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

8. Data sharing

For the most part, personal data collected by the School will remain within the School, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a "need to know" basis). However, some functions are outsourced including website applications management, cloud storage/records management, emailing and payroll. In accordance with Data Protection Law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the school's specific directions.

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

- Suppliers and service providers – to enable them to provide the service we have contracted them for, e.g. recruitment support
- UKCRBs, a registered DBS Umbrella body, for the purpose of performing DBS checks on behalf of Abbey School as part of the pre-employment checks to ensure your suitability for the role
- Professional advisers and consultants

- Government authorities and/or appropriate regulatory bodies, e.g. HMRC, DfE, police or relevant authority, the Teaching Regulations Agency, Ofsted
- Employment and recruitment agencies

9. Your rights in relation to this processing

9.1. 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 [Section 11](#) below)

9.2. Your other rights regarding your data

Under 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 your use of 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 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
- 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 [Section 11](#) below)

10. 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 www.ico.org.uk/make-a-complaint/
- Call the helpline on 0303 123 1113 or 01625 545 745
- Write to Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

11. 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:

Louise Rushforth, School Business Manager l.rushforth@abbey.school