

## **Privacy Notice for School Applicants**

### **Who we are**

We are Yew Tree Primary School, Birchfield Way, Walsall, WS5 4DX. We are a Local Authority maintained school for children aged 3 to 11. This privacy notice explains how we collect, store and use personal data about our workforce. We are the 'data controller' for the purposes of the General Data Protection Regulation (GDPR) and as such we are obliged to inform you of the information we hold on you, what we use it for, who we share it with, and for how long we keep it.

### **What information do Yew Tree Primary School collect and hold?**

- Name, address and contact details, including email address and telephone number, date of birth and gender;
- Details of qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Sandwell MBC;
- Information about marital status and emergency contacts;
- Information about nationality and entitlement to work in the UK;
- Information about criminal records (if applicable);
- Information about medical or health conditions, including whether or not employees have a disability for which school needs to make reasonable adjustments;
- Equal opportunities monitoring information including information about employees' ethnic origin, sexual orientation, and religion or belief.
- Evidence if applicants hold an Enhanced Disclosure and Barring Service certificate.
- CCTV images captured on site, retained in line with retention periods.

Yew Tree Primary School may collect this information in a variety of ways. For example, data might be collected through application forms or through the interview process.

In some cases, Yew Tree Primary School may collect personal data about applicant(s) from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law. In most cases, Yew Tree Primary School will only seek information from third parties with the prior consent of the applicant(s) in question.

### **Why does Yew Tree Primary School process personal data?**

Yew Tree Primary School has a legitimate interest in processing personal data prior to employment to:

- Run a recruitment process to employ suitable applicants to vacant positions within school;

- Ensure effective general HR and business administration throughout the recruitment process.
- Ensuring that appropriate access arrangements can be provided for candidates who require them.
- To identify you and ensure a safe evacuation in the event of an emergency.

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 applicants with disabilities). Where Yew Tree Primary School processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is for the purposes of equal opportunities monitoring. Data that Yew Tree Primary School uses for these purposes is anonymised or is collected with the express consent of applicants, which can be withdrawn at any time. Applicants are entirely free to decide whether to provide such data and there are no consequences of deciding against this.

Yew Tree Primary School process this information under Article 6 and 9 of the General Data Protection Regulations as follows:

Article 6 on the basis of:

- Consent: where you have given Yew Tree Primary School clear consent to process your personal data for a specific purpose
- Legal obligation: the processing is necessary for Yew Tree Primary School to comply with the law.

Article 9 on the basis of:

- Where you have given your explicit consent to the processing of personal data for one or more specified purposes.
- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.

### **Who has access to data and why do we share it?**

Applicant information may be shared internally as part of the recruitment/shortlisting process. This will include members of the HR team, line managers where the vacancy exists, managers in the business area in which the successful employee will work.

Yew Tree Primary School shares employee data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.

Apart from the above examples, we only share your personal data if we believe someone's life is in danger or we believe we are compelled to by law. The secure database we use to store your data is kept in the UK and this data is not transferred to or stored at a destination outside the European Economic Area.

## **How Yew Tree Primary School protect your data**

Yew Tree Primary School takes the security of your data seriously. Yew Tree Primary School has internal policies and controls 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. Policies include Information Security Policy, Data Protection Policy, and email procedures regarding data protection. Where Yew Tree Primary 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 measures to ensure the security of data.

## **How long does Yew Tree Primary School keep data?**

As part of the recruitment process, data will be held for a period of 6 months for unsuccessful candidates.

For successful candidates, pre-employment vetting information will be added to staff personnel files and retained for 6 years after the termination of employment unless extenuating circumstances apply.

## **Failure to provide data**

Failure to provide the requested data may result in consequences such as:

- Inability for the internal teams to process data as part of the recruitment/shortlisting process.
- Delays in obtaining relevant third-party data such as pre-employment references, employment background checks and checks facilitated by the Disclosure and Barring Service.
- Inability for internal teams to identify you and ensure a safe evacuation in the event of an emergency.

## **Requesting access to your personal data and your data protection rights**

Under data protection legislation, employees have the right to request access to information about them that we hold, through a Subject Access Request.

We will provide information in a way that is:

- Concise
- Transparent
- Intelligible
- Easily accessible
- Uses clear and plain language

If you would like to make a subject access request please contact our Data Protection Lead (School Business Manager) by emailing [HR@yewtree.sandwell.sch.uk](mailto:HR@yewtree.sandwell.sch.uk).

Data subjects have the following rights with regards to their personal information, as follows:

- Confirmation that their personal data is being processed
- Access to a copy of the data

- The purpose of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restrictions, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- The safeguards provided if the data is being transferred internationally

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;

### **Contact us**

In the first instance, any questions, concerns or complaints relating to data protection should be directed to the Data Protection Lead (DPL) at Yew Tree Primary School by emailing [HR@yewtree.sandwell.sch.uk](mailto:HR@yewtree.sandwell.sch.uk). This includes requests to exercise data protection rights, such as making a Subject Access Request, reporting a suspected personal data breach, or raising general queries regarding the school's/academy's processing of personal data.

If you are dissatisfied with the school's response to your concern, query or complaint, please refer to the Data Protection Complaints Policy available on the school's website, which explains the process for raising and escalating data protection complaints.

If, having completed the school's complaints process, you remain dissatisfied with the outcome, you have the right to lodge a complaint with the Information Commissioner's Office (ICO) at:

Information Commissioners Office, Wycliffe House Water Lane Wilmslow Cheshire, SK9 5AF

Tel: 0303 123 1113

Website: <https://ico.org.uk>

### **Changes to this privacy notice**

This privacy notice may be updated from time to time. We encourage you to check this privacy notice on a regular basis to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for example, how we would like to use your personal data, we will provide a more prominent notice (for example, email notification or correspondence of privacy notice changes).