



## Dame Ellen Pinsent School

# Privacy Notice for Applicants – How we use your information 2020/21 (update March 2021 including sharing information with Public Health & NHS Track & Trace)

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### Who are we?

Dame Ellen Pinsent School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Dame Ellen Pinsent School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z8529771

You can contact the school as the Data Controller in writing at:

Dame Ellen Pinsent School, Ardencote Road Kings Heath, B13 0RW or [enquiry@deps.ac](mailto:enquiry@deps.ac)

This notice sets out the basis on which we collect, use and disclose the personal data of our job applicants, as well as your rights in respect of such personal data.

### What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our applicants.

### What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### What personal information do we process about applicants?

The Applicants information that we collect, hold and share includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information from interviews and phone-screenings you may have;
- information about your current level of remuneration, including benefit entitlements;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

## **Why do we use personal information?**

We collect and process your data for a number of purposes and where we have a legal basis to do so, as follows.

Dame Ellen Pinsent School has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK before employment starts.

We may process information about whether or not applicants are disabled so we can make reasonable adjustments for candidates who have a disability. Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes. Our processing of these types of data will be carried out to ensure you or us can meet our obligations or exercise our rights under law related to employment or (only where applicable) to enable us to establish, exercise or defend legal claims.

We will not use your data for any purpose other than the recruitment process of which you are a part.

## **Collecting information**

We may collect applicant's information in a variety of ways. For example, data might be contained in application forms or CVs (including when these are sent to us as part of speculative applications or queries), obtained from your passport or other identity documents, or collected through interviews or other methods of assessment.

We may also collect personal data about you from third parties, such as references supplied by former employers. We will seek information from third parties only once a job offer has been made to you.

Data will be stored in a range of different places, including on your application record, in our HR management systems and our email system.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

## **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

### **1) To comply with the law**

We collect and use general purpose information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

## **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

## **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

## **4) To perform a public task**

It is a day-to-day function of the School to ensure that employees receive the support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that employees are properly supported.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

### Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

### **Who might we share your information with?**

Your information may be shared internally within the company for the purposes of the recruitment process. This includes members of the HR team, interviewers involved in the recruitment process, and managers in the business area with a vacancy.

We will not share your data with third parties, unless your application for employment is successful and an offer of employment is made. We will then share your data with former employers in order to obtain references. We may also share your data with DBS Checking Services and any relevant bodies to check qualifications.

In addition, we may need to share your personal information with a regulator or otherwise to comply with the law.

We do not share information about our applicants unless the law and our policies allow us to do so.

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime.

Please refer to the tables for information about what personal information is shared with which specific third parties.

#### **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school workforce census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

#### **NHS Test and Trace/Public Health Agencies:**

It may be necessary for us to share limited information with the above agencies in the event that an individual test positive for Coronavirus, or it there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case-by-case basis.

#### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The School monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

#### **How long do we keep your information for?**

If your application for employment is unsuccessful (including when you have speculatively applied to us in respect of a role which is not available), we will hold your data on file for 6 months. At the end of that period, your data is deleted or destroyed (unless we need to retain it for longer to exercise or defend any legal claims).

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which employee data is held will be provided to you in a separate privacy notice.

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the schools are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

#### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

### **What are your rights with respect of your personal information?**

Under data protection law, applicants have the right to request access to information about them that we hold. To make a request for your personal information, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

#### **School Data Protection Officer**

Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**\*\*Please ensure you specify which school your request relates to.**

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; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

#### **Review**

The content of this Privacy Notice will be reviewed in March 2022

**Table 1** – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Name	Consent - Article 6 (1)(a)	Legal Obligation	Our local authority The Department for Education (DfE) Other support services such as external services for making employment checks.	Legal Obligation         Consent
Date of birth				
Address				
Contact details (phone number, address etc.)				
Medical conditions				
Emergency contact details				
Consent forms (photographs, school trips etc.)				
Characteristics (age, ethnicity, religion etc.)				
Referees				

**Table 2** – Personal information we are required to process as it is necessary to protect someone's vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Name	Legislative	Our local authority The Department for Education (DfE) Other support services such as external services for making employment checks Law enforcement	Vital Legal Obligation
Date of birth Emergency contact details			
Medical conditions		Occupational Health Checker	Vital Legal Obligation

**Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'**

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Name	Consent - Article 6 (1)(a)	Other support services such as external services, companies who provide services (e.g. Occupational Health, DBS Services) Law enforcement HR Services	Vital Legal Obligation
Date of birth			
Address			
Contact details (phone number, address etc.)			
Referrals made			
Medical conditions			

**Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task**

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Name	Necessary for reasons of public health	Public Health NHS Test and Trace	Public task
Date of Birth		Public Health NHS Test and Trace	Public task
Class		Public Health NHS Test and Trace	Public task
Contact number		Public Health NHS Test and Trace	Public task
Email address		Public Health NHS Test and Trace	Public task
Results of COVID-19 testing		Public Health NHS Test and Trace	Public task
Absence details		Public Health NHS Test and Trace	Public task
<b>For visitors:</b>			
Name		NHS Test and Trace	Public task
Contact details		NHS Test and Trace	Public task

