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Privacy notice for applicants

Who are we?

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

Rigby Hall School is registered as the data controller with the Information Commissioner's Office (ICO);
Registration Number: Z5367075

You can contact the school as the data controller in writing at the above address and email.

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 under General Data Protection Regulation (GDPR) legislation. This privacy notice explains how we process (collect, store, use and share) personal information about job 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, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation.

For what purposes do we use personal information?

We use applicant data to:

- Assess job applications

- inform the development of recruitment and retention policies
- ensure that we can act in an emergency
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils and others
- inform our recruitment and retention policies
- enable equalities monitoring
- protect staff, pupils and other stakeholders for safety and security purposes

Collecting applicant information

Whilst the majority of applicant information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with GDPR, 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. Data protection law sets out the lawful reasons we have to process your personal information and these are as follows:

- to fulfil a contract we have entered into with you
- to comply with a legal obligation
- to carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- you have given us consent to use it in a certain way
- we need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data such as:

1) To comply with the law

We collect and use general purpose job applicant information in order to meet certain legal requirements and legal obligations placed upon the school by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

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.

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

Whilst much of the personal information is processed 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.

4) To perform a public task

Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school's Data Protection Lead and/or the Headteacher to inform them of their reasons for the objection. These reasons should relate to your own specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract

We are able to process personal information in order to comply with the contract that we have with you.

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:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law)
- (h) Health or social care (with a basis in law)
- (i) Public health (with a basis in law)
- (j) Archiving, research and statistics (with a basis in law)

The personal data we hold

We process data relating to those we seek to employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- contact details
- date of birth, marital status and gender
- next of kin and emergency contact numbers
- bank account details, payroll records, national insurance number and tax status information

- recruitment information, including copies of right to work documentation, references and other information included in a cover letter or as part of the application process
- qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- copies of your passport or other photo I.D
- live images from CCTV
- criminal record information
- barred list information
- any information you provide in the course of recruitment

We may also collect, store and use information about you that falls into special categories of more sensitive personal data as detailed previously.

Who might we share your information with?

We may share applicant information with:

- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Worcestershire County Council, human resources, payroll or health & safety departments
- the Department for Education (DfE)
- educators and examining bodies
- our regulator – Ofsted
- supplies and services providers – to enable them to provide the services we have contracted them for, such as payroll or HR
- financial organisations
- central and local government
- trade unions and associations
- Arbor (our management information system provider)
- employment and recruitment agencies
- CCTV provider

This list is not exhaustive. We do not share information about our staff unless the law and our policies allow us to do so.

What do we do with your information?

All personal information is held in a manner which is compliant with GDPR 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?

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 school 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 regarding your personal information?

Where the school processes data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school to inform them of their reasons for their objection. The school will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

Under data protection law, staff members have the right to request access to information about them that we hold. To make a request for your personal information please contact the School Data Protection Officer at Warwickshire Legal Services via email at 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 (Rigby Hall) 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
- claim compensation for damages caused by a breach of the GDPR regulations

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

Review

The content of this privacy notice was reviewed in July 2023 and will be reviewed annually.