



# Wakefield Grammar School Foundation

## PRIVACY NOTICE – JOB APPLICANTS

In the course of our job application process, Wakefield Grammar School Foundation (“the Foundation”), will collect, use and hold (“process”) personal data relating to you. This makes the Foundation a data controller of your personal information, and this Privacy Notice sets out how we will use that information and what your rights are.

### 1. WHO THIS DOCUMENT APPLIES TO

Prospective applicants for roles, whether as an employee or under any other contractual or voluntary arrangement, including prospective consultants, coaches, casual workers, supply staff, visiting music instructors, agency workers, extra-curricular providers and individuals on work experience.

This notice is not aimed at pupils, or parents of pupils (whether current, past or prospective), staff or other members of the public. This information may be found in the Foundation’s Privacy Notice – Parents and the Foundation’s Privacy Notice - Pupils, Foundation’s Privacy Notice – Staff, which provide further details about how personal data will be used by the Foundation.

### 2. ABOUT THIS DOCUMENT

This Privacy Notice explains how the Foundation collects, uses and shares (or "processes") personal data of job applicants, and your rights in relation to the personal data we hold.

This Privacy Notice also applies in addition to the Foundation's other relevant policies, including:

- the Foundation’s CCTV;
- the Foundation’s Data Retention, Storage and Disposal of policy;

This Privacy Notice is the primary document applicable to the use of your personal data by the Foundation, as part of the application process. There is a separate Privacy Notice relating to staff employed by the Foundation.

This Privacy Notice also applies alongside any other information the Foundation may provide about particular uses of personal data, for example when collecting data via an online or paper form.

### 3. HOW WE COLLECT YOUR INFORMATION

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

- when you submit a formal application to work for us, and provide your personal data in an application form, CV and covering letter, etc.;
- pre-employment recruitment checks relevant to the role being undertaken with the Foundation as part of our Recruitment, Selection and Disclosure Policy and Procedure; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), in order to verify details about you and/or your application to work for us.

#### 4. THE TYPES OF INFORMATION WE COLLECT

We **may** collect the following types of personal data about you:

- contact and communications information, including:
  - your contact details (including email address(es), telephone numbers and postal address(es));
  - records of communications and interactions we have had with you;
- biographical, educational and social information, including:
  - your name, title, gender, nationality and date of birth;
  - your image and likeness, including as captured in photographs or CCTV taken for work and security purposes;
  - details of your education, qualifications and references from your institutions of study;
  - formal identification documents including passports and driving licences;
- work related information, including:
  - details of your work history and references from your previous employer(s);
  - right to work in the UK documentation
  - outcomes of disciplinary procedures;
  - details of your professional activities and interests;
  - your involvement with and membership of sector bodies and professional associations;

Where this is necessary for your employment or other engagement to work for us, we **may** also collect **special** categories of data, including:

- information revealing your racial or ethnic origin;
- trade union membership, where applicable;
- information concerning your health and medical conditions (for example, for teaching and pupil support staff; to ensure you are mentally and physically fit to undertake your role in line with The Education (Health Standards) (England) Regulations 2003 and Keeping Children Safe In Education (KCSIE) September 2019; where required to monitor and record sickness absences; dietary needs; or to make reasonable adjustments to your working conditions or environment, medical reports from your GP or Occupational Health reports); and
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations);

However, this will only be undertaken where and to the extent it is necessary for a lawful purpose.

#### 5. THE BASES FOR PROCESSING YOUR PERSONAL DATA, HOW THAT DATA IS USED AND WHOM IT IS SHARED WITH

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

(i) ***Entering into, or fulfilling, our contract with you***

We process your personal data because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, such as a contract of employment or other engagement with us. In this respect, we use your personal data for the following:

- administering job applications and, where relevant, offering you a role with us;
- carrying out due diligence checks on you during the application process for a role with us, including by checking references in relation to your education and your employment history;

(ii) **Legitimate Interests**

We process your personal data because it is necessary for our (or sometimes a third party's) legitimate interests. Our "legitimate interests" include our interests in running the Foundation in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, we use your personal data for the following:

- providing you with information about us and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- for security purposes, including by operating CCTV cameras in various locations on the Foundation's premises;

(iii) **Legal Obligations**

We also process your personal data for our compliance with our legal obligations, notably those in connection with employment. In this respect, we use your personal data for the following:

- to meet our legal obligations (for example, relating to diversity, equality, employment);

(iv) **Special categories of data**

We process special categories of personal data (such as data concerning health, religious beliefs, racial or ethnic origin, sexual orientation or union membership) or criminal convictions and allegations for the reasons set out below.

We will process this data on the basis that such processing is necessary to carry out obligations and exercise rights (both yours and ours) in relation to your employment.

In particular, we process the following types of special category personal data for the following reasons:

- data about any criminal convictions or offences committed by you, for example when conducting criminal background checks with the Disclosure and Barring Service (DBS), or where it is necessary to record or report an allegation (including to police or other authorities, with or without reference to you);

We will process special categories of personal data for lawful reasons only, including because:

- you have given us your explicit consent to do so, in circumstances where consent is appropriate;
- it is necessary for some function in the substantial public interest, including the safeguarding of children or vulnerable people, or as part of a process designed to protect others from malpractice, incompetence or unfitness in a role (or to establish the truth of any such allegations);

## **6. SHARING YOUR INFORMATION WITH OTHERS**

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties. We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- DBS and other relevant authorities and agencies such as the Department for Education, Teacher Regulation Agency, the ICO, Charity Commission and the local authority;
- when the Foundation is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or police;

We may also share information about you with other employers in the form of a reference request, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations.

## **7. HOW LONG YOUR INFORMATION IS KEPT**

Personal data relating to unsuccessful job applicants is securely destroyed after 6 months of the end of the application process, except where we have notified you we intend to keep it for longer (and you have not objected).

## **8. CROSS BORDER TRANSFERS**

We do not transfer your personal information to third parties outside the EEA. However, where you have worked outside of the EEA, as part of our pre-employment checks, we may contact your appropriate employers for confirmation of your previous employment details and other agencies as necessary for the compliance of relevant statutory checks.

## **9. DATA SECURITY**

All information you provide to us is stored on our secure servers. We have implemented appropriate physical, technical, and organisational security measures designed to secure your personal data against accidental loss and unauthorised access, use, alteration or disclosure. In addition, we limit access to personal data to those employees, agents, contractors and other third parties that have a legitimate business need for such access.

## **10. YOUR RIGHTS**

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Data Protection Officer who can be contacted at [dataprotectionofficer@wgsf.co.uk](mailto:dataprotectionofficer@wgsf.co.uk)



## **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

## **What we may need from you**

In some circumstances we may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer who can be contacted at [dataprotectionofficer@wgsf.co.uk](mailto:dataprotectionofficer@wgsf.co.uk). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at [www.ico.org.uk](http://www.ico.org.uk).

## **11. THIS NOTICE**

The Foundation will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

## **12. CONTACT AND COMPLAINTS**

If you have any queries about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact the Data protection Officer who can be contacted at [dataprotectionofficer@wgsf.co.uk](mailto:dataprotectionofficer@wgsf.co.uk). If you wish to make a complaint, please refer to the grievance procedure in the first instance.

If you are not satisfied with how we deal with your complaint, you can make a complaint to the Information Commissioner: [www.ico.org.uk](http://www.ico.org.uk). The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral.

Policies can be downloaded by following the link <https://wgsf.org.uk/article/about/policies>