



RUTLISH SCHOOL

PRIVACY NOTICE – Recruitment

Introduction

This notice is to help you understand how and why Rutlish collects and uses your personal data and what we do with that data. It also explains the decisions that you can make about your data. If you have any questions about this notice, please talk to the School Business Manager (see 'Contact us' below).

We, Rutlish School, Watery Lane, SW20 9AD, 020 8542 1212 are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer/Lead is the School Business Manager (see 'Contact us' below).

What is "personal data"?

Personal data is data that the school holds about you and which identifies you. This includes data such as your date of birth and address as well as things like ethnicity and National Insurance details. CCTV, photos and video recordings of you are also personal data.

What data do we collect about job applicants and how?

The categories of data that we collect, process, hold and share include:

- personal data such as name, date of birth, contact details, National Insurance number, teacher number (if applicable).
- education history and details of qualifications and relevant professional development.
- membership of professional bodies.
- employment history including any gaps in employment and/or education/training.
- data about any reasonable adjustments we need to make to the shortlisting or interview and assessment process to accommodate a disability.
- data about any cautions, convictions, reprimands or final warnings which are not protected, as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) as well as any current police investigations or pending criminal proceedings.
- data about any disqualification or sanction imposed by a regulatory body in relation to working with young people.
- data about your registration with the DBS Update Service (if applicable).
- data about any close personal relationships you may have with an existing member of staff or member of the board of governors.
- proof of your identity, if invited for interview.
- special categories of data (including data about your ethnic origin and health conditions) in order for us to monitor the success of our equality policies.

We collect data from your application form and, if shortlisted for interview, as part of our selection process which generally includes an interview and some other form of assessment, such as written tests and presentations.

It is our policy, in line with the Department for Education's statutory guidance, Keeping Young People Safe in Education, to request references at the shortlisting stage, in advance of interview. If you have concerns about this, you should contact us before submitting your application. If you are shortlisted, we will therefore also collect personal data about you from your nominated referees. Personal data may also be collected from other previous employers listed on your application form, for example to verify details on your application form, such as particular experience or qualifications.

If an offer of employment is made to you, the offer will be subject to completion of a range of pre-employment checks to our satisfaction, including a criminal records check with the Disclosure and Barring Service and a pre-

employment health assessment. You will be informed of the checks to be undertaken in the event that an offer is made.

Why we collect and use this data

We process data from job applicants in order to undertake the recruitment process and, for the successful applicant, to enter into a contract of employment. In particular, it is used to:

- administer the application, shortlisting and selection process
- assess your suitability to work with young people and young people
- inform the development of recruitment and retention policies
- defend legal claims
- monitor protected characteristics in order to promote equality at work

We do not make recruitment decisions based on automated decision-making.

The lawful basis on which we process this data

We process this data about you because the processing is necessary for us to enter into an employment (or other work-related) contract with you. We also need to process this data to ensure that we are complying with our legal obligations and in particular with the Department for Education statutory guidance document, Keeping Young People Safe in Education, such as by carrying out pre-employment checks on your right to work in the UK and with the Disclosure and Barring Service.

We have a legitimate interest in processing data from job applicants in order to administer the recruitment process, to monitor compliance with our policies, to defend any legal claims and to ensure that the most suitable applicant is appointed to the role, based on an assessment of their likely performance amongst other factors. We do not rely on legitimate interests as a reason for processing data unless we have first considered the rights and freedoms of the individuals affected and determined that these do not override the interests we have identified.

We process special category data, such as data about your ethnic origin or health, as part of our equal opportunities monitoring process and in order to meet legal obligations (such as the requirement to make reasonable adjustments for job applicants with a disability). This data is collected with the express consent of job applicants. Consent may be withdrawn by an applicant at any time.

We may offer to contact unsuccessful applicants within a period of six months following the application if another suitable vacancy arises. Information is only used in this way with the express consent of applicants, which may be withdrawn at any time.

If we wish to process your personal data for a new purpose we will inform you of any additional processing.

Consent

Personal data provided to us as part of the recruitment and selection process is generally given on a voluntary basis and, as such, you have a choice as to whether you provide data to us. However, failure to provide data may mean that your application cannot be processed. You should also be aware that providing false or misleading data (including by omission) may result in your application being rejected and could also be treated as a disciplinary offence in the event that employment is subsequently offered to you.

Posts in our organisation are exempt from the Rehabilitation of Offenders Act 1974 (as amended). If you decide to submit an application form, you must disclose any cautions and convictions, even if they are spent, other than protected cautions and convictions (i.e. those which have been filtered out). Details on the filtering rules applicable to certain offences can be found on the Gov.uk website: <https://www.gov.uk/government/collections/dbs-filtering-guidance> .

Equality monitoring data is undertaken only for the purposes of evaluating our equality policies. It is not mandatory and its provision or otherwise will have no effect on the processing of your application form.

Storing this data

Information from your application form and from the shortlisting and selection process will be stored in a paper-based file, in electronic records within our HR system and also in other IT systems, including email.

A copy of your application form and all other personal data collected during the recruitment and selection process will be held as follows:

- For successful applicants this will be transferred to a personnel file where it will be held securely. You will be given a workforce privacy notice upon appointment which will explain how we will hold and process your data as an employee.
- For unsuccessful applicants, securely for a period of six months.

Who we share this data with and why

Your data will be shared with school staff with a recruitment responsibility. This will include members of our HR and administrative staff, those responsible for shortlisting and interviewing and managers within the relevant area of work or department. Equality monitoring data is separated from the application form upon receipt and is not shared with those responsible for shortlisting and interviewing.

We do not share data about job applicants with anyone without consent unless the law and our policies allow us to do so.

We will not share your data with third parties unless and until an offer of employment is made to you. At that stage, your data will be shared to fulfil legal requirements, obtain or provide necessary data or because the third party processes data on our behalf. These third parties include:

- The Disclosure and Barring Service in order to undertake a criminal record check.
- Suppliers and consultants that provide us with a service, such as occupational health, HR or legal services.
- Relevant professional bodies in order to verify your qualifications (such as the Teaching Regulation Agency for teaching posts).

When we appoint third parties to process data on our behalf, the third party is also required to process the data lawfully and fairly and in a manner that ensures appropriate security of the data, using appropriate technical or organisational measures to protect against unauthorised or unlawful processing and accidental loss.

We do not transfer your data to countries outside the European Economic Area.

Requesting access to your personal data and your rights as a data subject

Under data protection legislation, you have the right to request access to data about you that we hold. To make a request for your personal data, contact our data controller.

You also have the right to:

- restrict processing of your data in certain circumstances;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- object to the processing of your data where we are relying on our legitimate interests as the lawful basis for processing;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of data protection legislation.

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

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:

Our Data Protection Officer is: schoolsDPO@merton.gov.uk

However, our Data Protection Lead has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them: School Business Manager email administration@rutlish.merton.sch.uk.