



4 - 18 yrs Co-educational Independent Day School

Recruitment Privacy Notice

Introduction

As a prospective employer Arnold Lodge School must meet its statutory and administrative obligations. We are committed to ensuring that the personal data of our candidates applying for roles within the school is handled in accordance with the principles set out in data protection laws. The wording in this notice reflects the requirements of the UK General Data Protection Regulation (UK GDPR) and will be updated to reflect any future changes to data protection laws as required.

It relates to the Recruitment and Selection Process Arnold Lodge School uses for candidates. It advises candidates about the specifics of the personal data handling practices within the school. It informs you about what personal data we may collect, how we may collect it, use it, store it and disposal of it and what you can expect the school to do with the information it collects. However, the information we will process about you will vary depending on your specific role and personal circumstances.

This Privacy Notice does not form part of a contract of employment or other contract to provide services. When appropriate we will provide a 'just in time' notice to cover any additional processing activities not mentioned in this document.

This Privacy Notice may be updated at and/or re-issued at any time. At our discretion, where any updates are substantial updates, we may notify you by other means or in other ways from time to time about the processing of your personal information.

Personal Data Definition

Any references to "personal information" or "personal data" or "data" within the body of this Privacy Notice, shall be taken to mean the same and shall have the meaning given to "personal data" by the UK GDPR (or any subsequent applicable law, for example the Data Protection Act 2018).

The UK GDPR defines personal data as "any information relating to a data subject [from which they can be identified]" (at Article 4(1)). It does not include data where the identity has been removed (anonymous data). A data subject is the identified or identifiable person to whom the personal data relates and, in relation to this Privacy Notice, is candidates, agency candidates and contractors.

There are "special categories" of personal data (referred to by previous law as "sensitive personal data"), these are more sensitive in nature and therefore we afford this category of personal data the highest level of protection.

Who are we?

Arnold Lodge School is the 'data controller'. Arnold Lodge School is responsible for deciding how we collect, store and process your personal information in relation to Recruitment and Selection. This Privacy Notice explains in plain English how we collect, use and share your data.

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

The personal data we process and why

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.

We process data relating to those who apply to work at our school. The personal data that we may collect, use, store and share (where appropriate) about you includes, but is not restricted to:

- Contact details and contact preferences
- Date of birth
- Marital status
- Gender
- Identity information to support your right to work in the UK, including copies of Passports and/or Photo Driving Licenses
- Evidence if applicants hold an Enhanced Disclosure and Barring Service certificate
- Applications forms, references, work history, qualification details, training records and professional memberships
- Photographs
- Health Information
- CCTV images captured in school

Special Category Data

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This may include:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data biometric data
- health/medical data
- sex life or sexual orientation
- criminal proceedings or convictions data

Why we use this data

We will use your personal information to:

- Enable us to establish relevant skills, experience and qualifications
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Carry out background checks
- Identify you and safely evacuate the school in the event of an emergency
- Enable equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates who require them
- Enable us to recruit new members of staff

We need to process your personal data in order to decide whether to enter into a contract of employment with you. It is ultimately in our legitimate interests to process personal data during the recruitment process and for keeping records of this process. Actively managing this data allows the recruitment process to be efficient and adequately confirm your suitability for the job.

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully.

Information about your disability status may be used in order to consider where reasonable adjustments need to be made during the recruitment process

Information about your age, gender, race or national or ethnic origin, religious beliefs and sexual orientation will be used to ensure meaningful equal opportunity monitoring and reporting.

Our lawful basis for using this data

Depending on the processing activity, we rely on the following lawful basis for processing your personal data under the UK GDPR:

- Article 6(1)(b) which relates to processing necessary for the performance of a contract
- Article 6(1)(c) so we can comply with our legal obligations as your employer

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

- Comply with a legal obligation
- Carry out a task in the public interest
- Where we have legitimate interests in processing the data – for example, the use of photographs to enable us to clearly identify you in the event of an emergency evacuation
- 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.

Special category data

Where the information we process is special category data, for example your health data, the additional bases for processing that we rely on are:

- Article 9(2)(b) which relates to carrying out our obligations and exercising our rights in employment and the safeguarding of your fundamental rights
- Article 9(2)(h) for the purposes of preventative or occupational medicine and assessing your working capacity as an employee
- Article 9(2)(j) for archiving purposes in the public interest

In addition, we rely on processing conditions at Schedule 1 part 1 paragraph 1 and Schedule 1 part 1 paragraph 2(2)(a) and (b) of the Data Protection Act (DPA) 2018. These relate to the processing of special category data for employment purposes, preventative or occupational medicine and the assessment of your working capacity as an employee.

Criminal Convictions and offences

We process information about candidates' criminal convictions and offences. The lawful basis we rely to process this data are:

- Article 6(1)(e) for the performance of our public task. In addition, we rely on the processing condition at Schedule 1 part 2 paragraph
- Article 6(1)(b) for the performance of a contract. In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1

Collecting this information

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

Personal data we collect as part of the job application process is stored in line with our Data Protection Policy.

When this information is no longer required, we will delete your information in accordance with our Data Protection Policy. A copy of this is available on the Schools website www.arnoldlodge.com

Procedures are also in place to deal with suspect data security breaches and you will be notified of a suspected breach where we have a legal obligation to do so.

Data sharing

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- Employment and recruitment agencies
- pre-employment references from other employers
- employment background checks, including from third party provider
- criminal record checks or where otherwise necessary in connection with the management of your employment contract or other contract for services

Transferring data internationally

Transfers of personal data out of the UK to 'third countries' or international organisations are restricted by the UK GDPR (as per the UK Data Protection Act 2018 and related regulations). The UK is an adequate country for EU GDPR purposes under a European Commission adequacy decision issued under the EU GDPR in June 2021.

Who will have access to your data?

Your personal data will be shared internally with members of the HR team. The recruitment panel (for the selection to interview process). Appropriate access controls will be in place.

We share your data with third parties in order to:

- obtain pre-employment references from other employers
- obtain employment background checks, including from third party providers
- obtain criminal record checks

Whenever we share your personal data with third parties, we ensure they are obliged to follow strict rules to protect it.

Your rights

Under data protection law, you have rights we need to make you aware of regarding the processing of your personal data. The rights available to you depend on our reason for processing your information. You are not required to pay any charge for exercising your rights. We have one month to respond to you.

Listed below the UK GDPR rights for individuals:

The right to be Informed - You have the right to be informed about the collection and use of your personal information.

The right of Access (aka Subject Access Request) - You have the right to ask us for copies of your personal information. This right always applies. There are some exemptions, which means you may not always receive all the information we process.

The right to Rectification - You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies.

The right to Erasure - You have the right to ask us to erase your personal information in certain circumstances.

The right to Restrict processing - You have the right to ask us to restrict the processing of your information in certain circumstances.

The right to Object - You have the right to object to processing if we are able to process your information because the process forms part of our public tasks or is in our legitimate interests.

The right to Data Portability - This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

Rights in relation to automated decision making and profiling - The UK GDPR applies to all automated individual decision-making and profiling. It relates to automated individual decision-making (deciding solely by automated means without any human involvement); and profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process

How to access personal information we hold about you

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

Contact Us

Please email Dan Watson at DPO@arnoldlodge.com in respect of all matters relating to data protection issues, and to make referrals, where necessary, to the Data Protection Officer.

Our DPO is the School DPO Service and is contactable via schooldpo@warwickshire.gov.uk or alternatively you may write to;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact Dan Watson at DPO@arnoldlodge.com.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online via their website www.ico.org.uk/global/contact-us/
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF