

THE BISHOP WHEELER CATHOLIC ACADEMY TRUST GDPR PRIVACY NOTICE FOR EMPLOYMENT APPLICANTS



The purpose of this privacy notice is to explain how your personal information may be used. We take your privacy seriously and you can find out more here about your privacy rights and how we gather and use your personal data – that includes the personal data we already hold about you now and any additional personal data we might collect about you, either directly from you or from a third party. We will always take into account your interests and rights when processing your personal data.

When we say 'we', this refers to The Bishop Wheeler Catholic Academy Trust (BWCAT) and all the schools within the Trust.

Who processes your personal information?

BWCAT is the 'data controller' of the personal data we process. This means that we determine the purposes and the manner in which any personal data relating to you is processed. The Headteacher in each of the BWCAT schools acts as a representative for the school with regard to its data controller responsibilities.

In some cases, some of your personal data will be outsourced to a third party 'data processor' (this means that they process your information on our behalf); however, this will only be done with your consent, unless the law requires us to share your data. Where we outsource data to a third-party processor, the same data protection standards that BWCAT upholds are imposed on the data processor.

Why do we collect and use your information?

BWCAT has a legal right to collect and use certain personal data relating to you; those who apply for employment at BWCAT or its schools. We process your personal data in order to meet legal and safeguarding obligations and fulfil public duties set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's legal framework
- The Childcare (Disqualification) Regulations 2009
- Section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007
- The Childcare (Disqualification) Regulations 2009
- Equality Act 2010
- Safeguarding Vulnerable Groups Act 2006

Most of your personal data is processed for the reason of contract of employment. As a school we also process some of your personal data to fulfil our duties as a school; for administrative purposes of recruitment.

We also have legal obligations as a school such as safer recruitment obligations; obtaining references prior to employment and making an application to the Disclosure and Barring Service. We may also have a legitimate reason for processing your personal data, such as CCTV footage; in order to provide a safe and secure environment.

What data is collected and how

We use your personal data for some or all of the following purposes:

To process your employment application;
to monitor equal opportunities;
to monitor recruitment and retention;

to fulfil safeguarding obligations such as DBS;
to prevent and detect crime and safeguard;
to comply with safer recruitment;

to enable ethnicity and disability monitoring;
to comply with employment law;
to communicate with you;

Much of the personal data we hold about you is provided by you when you apply for a job. Some information is provided to us by other sources such as your current employer or the National College for Teaching and Leadership for teacher personal data. The categories of personal data that we process include:

Personal information -	e.g. Name, date of birth and gender
Contact information -	e.g. address, Email address, telephone number
Emergency information -	e.g. next of kin/other contact personal and contact information
Characteristics -	e.g. ethnicity, religion, gender, marital status, nationality, language
Absence from work information -	e.g. annual/special leave and sickness information
Contractual and remuneration -	e.g. current post, role, salary grade and amount
Qualifications and training -	e.g. certificates, training records, qualification details
Photographs	e.g. identity documents
Operational -	e.g. CCTV footage
Safer recruitment information -	e.g. 'right to work' documentation, references, application form, qualifications, immigration status, employment history, previous and current employment information including salary and location
Other staff data (not covered above)	e.g. languages and proficiency

Special protection is given to certain kinds of personal data that is particularly sensitive. This is called 'special category data'. BWCAT processes special category data about members of candidates' health, racial or ethnic origin and religion. We will always obtain your explicit consent to use this information unless this is required by law or the information is required to protect your health in an emergency. We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and our public duties as a school. Less commonly, we may use personal data relating to criminal convictions where it is necessary in

relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will only collect personal data about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

Candidates' personal data may be obtained and processed from third parties where the law requires the school to do so, e.g. Disclosure and Barring Service and your referees. The categories of data obtained and processed from third parties include:

- Criminal information – e.g. DBS details
- Child Protection and disciplinary information is requested in references

We will ask for your consent to use that personal data when consent is needed. You should be aware that it is not a condition of your application for employment with us that you agree to any request for consent from us. Where consent is required, we will provide you with specific and explicit information with regards to the reasons the data is being collected and explain how the data will be used. We do not need your consent if we use your special personal data in accordance with our rights and obligations in the field of employment and social security law. Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time. Details of how to do this are on the Consent Form. This is not usually part of pre-employment.

How long is your personal data kept?

We hold your personal data from the point that you make an application for a job or make an enquiry about a job. If you are unsuccessful in your application, your information will be destroyed after six months. If you are successful, your application form and the personal data within will form part of your personnel file. BWCAT does not store personal data indefinitely; data may be retained for varying periods depending on the nature of the information. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely. Candidate personal data is stored in line with the [Information Management Toolkit for Schools](#).

Will your personal data be shared?

We do not share information about you with anyone without consent, unless the law and our policies allow us to do so. Your application information will only be shared between third parties and colleagues who legitimately need the information to carry out their recruitment duties. For example, the Office Manager who will undertake the Disclosure and Barring Service check or request references from your referees. The recruitment process will involve:

- Assessing and progressing your application;
- Assessing your suitability (skills, strengths, behaviours for the role);

- Activities needed to complete the on-boarding and screening process should your application be successful.

The information shared is limited to what is required by each individual to perform their role in the recruitment process. The amount of personal information shared will be no more than is reasonably necessary.

Your rights

You have various rights under Data Protection Law to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but subject to certain exemptions and limitations.

If you would like to access or us to amend your personal data, or would like it to be transferred to another person or organisation, or have some other objection to how your personal data is used, please contact the school. We will respond to any such written requests within one month. Where this is not possible, we will write to you explaining why. There is ordinarily no charge for this. However, if the request is manifestly excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege.

If you have a concern about how BWCAT is processing your personal data, you can speak to the Headteacher at the school or the Trust Data Protection Officer: telephone 01943 883 000 or email dpo@bwcat.org. You can also make a complaint to the ICO (Information Commissioners Office). You can telephone them on 0303 123 1113, Monday to Friday between 9am and 5pm (excluding bank holidays) or visit <https://ico.org.uk/concerns/handling/>. More information about your rights can be found at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

Data outside of the UK

Some of your personal data may be transferred outside the UK to other companies and service providers such as those with online recruitment functions such as DBS or when emailing your referees for a reference. Such countries may not provide the same level of data protection as those in the European Economic Area, such as the USA. We will only transfer your personal information outside the EEA where either the transfer is to a country which the EU Commission has decided ensures an adequate level of protection for your personal information, or we have put in place our own measures to ensure adequate security as required by data protection law. These measures include ensuring that your personal information is kept safe by carrying out checks on our partners and suppliers.

When we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure.

Data Protection Officer

The Trust's Data Protection Officer (DPO) is Jemma Johnson. The role of the DPO role is to oversee and monitor the school's data protection procedures and to ensure they are compliant with the GDPR. The Data Protection Officer can be contacted at dpo@bwcat.org or 01943 883000.

Contact

If you wish to speak to us regarding your data, please contact the school's Headteacher or if you are applying for a role within the trust office, the Chief Operating Officer, in the first instance.

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