



# Haydon School

## Privacy Notice for Candidates

### *How we use your information*

This Privacy Notice describes how we collect and use personal information about you during and after the recruitment process and what we do with that information, in accordance with the UK General Data Protection Regulation (UK GDPR). It also explains the decisions that you can make about your own information.

This Notice applies to current and former candidates. This Notice does not form part of any contract of employment or other type of contract to provide services. We may update this Notice at any time.

It is important that you read this Notice, together with any other Privacy Notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Haydon School (the School) is committed to protecting the privacy and security of your personal information.

Haydon School is a charitable company limited by guarantee (registration number 07557791) whose registered office is Haydon School Wiltshire Lane, Eastcote, Pinner, Middlesex, HA5 2LX.

Haydon School is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

### **DATA PROTECTION OFFICER**

We have appointed a Data Protection Officer (DPO) to oversee compliance with this Privacy Notice, contactable via [dpo@haydonschool.com](mailto:dpo@haydonschool.com). If you have any questions about this Privacy Notice or how we handle your personal information, please contact the school’s DPO.

### **DATA PROTECTION PRINCIPLES**

We will comply with data protection law. This says that the personal information we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about;
- kept securely.

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues. You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

### **WHY DO WE COLLECT YOUR PERSONAL INFORMATION**

We only process your personal information where we are lawfully permitted to do so. We collect information about you in order to receive and assess your application. This may involve the processing of your CV, name, address, employment history, academic and professional

qualifications, age, diversity data (including gender, ethnicity, religion, disability, sexual orientation, nationality) and previous disciplinary matters. When we invite you for an interview, we will conduct pre-employing screening activities when you move to the next stage of our recruitment process.

## **THE TYPE OF INFORMATION WE HOLD ABOUT YOU**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data, which require a higher level of protection.

### **We will collect, store, and use the following categories of personal information about you:**

- information you have provided to us in your application, at interview (notes from face to face interviews) and results from any interview testing (assessment tests);
- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- date of birth;
- gender;
- marital status;
- identification documents, including passports, utility bills, bank statements, driving licence and other documents used as proof of address;
- proof of right to work in the UK, including visa documents and Home Office correspondence;
- National Insurance number/ Teacher reference number (if applicable);
- current salary, annual leave, pension and benefits information;
- location of employment or workplace;
- recruitment information (references and other information included in a CV or cover letter or as part of the application process);
- education records;
- employment records (including job titles, work history, working hours, meeting notes, sickness and absence records, maternity/paternity records, flexible working request details, training and appraisal records and professional memberships);
- skills and qualifications;
- training history and plans;
- close relations in school;
- performance information (including information about skills, achievements, career progression, informal and formal performance and disciplinary related matters);
- details of complaints or grievance raised against you or by you;
- records in our electronic visitor book when attending an interview with us.

The School also uses CCTV cameras around the school site for security purposes and for the protection of staff and students. There are signs around the School showing that CCTV is in operation. The images captured are securely stored and only accessed on a need to know basis (e.g. to look into an incident). CCTV footage involving candidates will only be processed to the extent that it is lawful to do so. Please see our CCTV Policy (on our website) for more details.

We may also collect, store and use the following “**special categories**” of more sensitive personal information:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions if shared;
- information about your health, including any physical or mental medical condition, Occupational Health documentation and sickness records;
- information about any protected characteristics you may have (e.g. a disability) which you provide, for example on the Equal Opportunities Monitoring Form, so we can arrange special access;
- information about criminal convictions and offences;

- DBS certificate number.

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect personal information about candidates through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, or other background check agencies. We may obtain information from publicly available sources such as your social media profiles and internet search engines.

## **HOW WE WILL USE INFORMATION ABOUT YOU**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- where we need to assess your skills, qualifications and suitability for the role and to communicate with you about the recruitment process;
- to decide whether you meet the basic requirements to be shortlisted for the role and whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview and in-tray exercises to decide whether to offer you the role. If we decide to offer you the role, we will then take up further references and carry out a criminal record and carry out any other check before confirming your appointment;
- where we need to comply with a legal obligation, for example our legal duty to safeguard students, carrying out reference checks etc., to decide whether to enter into a contract of employment/supply with you;
- where we need to protect your interests (or someone else's interests), i.e. to protect students from harm;
- where it is needed in the public interest, for example where it is necessary for the performance of our education function;
- in a legitimate interest to decide whether to appoint you to the role.

We need all the categories of information in the list above (see THE TYPE OF INFORMATION WE HOLD ABOUT YOU) primarily to allow us to perform our selection process with you and to enable us to comply with legal obligations.

The situations in which we will process your personal information are listed below:

- making a decision about your recruitment or selection for appointment;
- determining the terms on which you work for us;
- making decisions about salary and benefits;
- checking you are legally entitled to work in the UK;
- checking the award of Qualified Teacher Status, completion of teacher induction and prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions via the Teacher Services Online platform;
- assessing qualifications for a particular job or task;
- education, training and development requirements.

We will use your particularly sensitive personal information in the following ways:

- we will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview;
- we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- to ascertain your fitness to work, after an offer of employment is made;
- to complying with health and safety obligations.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## **IF YOU FAIL TO PROVIDE PERSONAL INFORMATION**

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. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## **CHANGE OF PURPOSE**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal information in the following circumstances:

- in limited circumstances, with your explicit written consent;
- where we need to carry out our legal obligations or exercise rights in relation to your employment with us. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data;
- where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension schemes. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data;
- 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 information 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 also process such information about staff or former staff in the course of legitimate business activities with the appropriate safeguards.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We will collect information about your criminal convictions history if we would like to offer you a role (conditional on checks and any other conditions, such as references, being satisfactory). We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

We are legally required by the DfE to carry out an enhanced check from the Disclosure and Barring Service for those carrying out any role. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

We may also process such information about candidates in the course of legitimate business activities with the appropriate safeguards. We will only collect information 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 information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

We will use information about criminal convictions and offences in the following ways:

- to establish whether or not it is appropriate to offer employment and the terms of such employment;

- where we need to protect your interests (or someone else's interests), i.e. to protect students from harm;
- where it is needed in the public interest, for example where it is necessary for the performance of our education function.

### **AUTOMATED DECISION-MAKING**

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

### **DATA SHARING**

The School will need to share your personal information internally when assessing your suitability for the role and progressing your application. The information shared is limited to what is required by each individual to perform their role.

We will also share your personal information with third parties, including where required by law, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

#### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

#### **Which third-party service providers process my personal information?**

The following third-party service providers process personal information about you for the recruitment purposes:

- recruitment agency (if applicable) to which you are registered;
- TES Recruitment ATS;
- EPM - DBS check.

#### **How secure is my information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

#### **What about other third parties?**

We may share your personal information with other third parties, for example with a regulator or to otherwise comply with the law. We use G Suite for Education to communicate with you and share information about you with the relevant members of school staff. We have put in place measures to protect the security of your information. Details of these measures are available upon request. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Details of these measures may be obtained from the DPO. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **DATA RETENTION - how long we will use you information for**

We will retain your personal information for a period of 6 (six) months after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our Data Retention Guide.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Your rights in connection with personal information**

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

- **request access** to your personal information (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.

If you would like to exercise any of the rights above please email [dpo@haydonschool.com](mailto:dpo@haydonschool.com).

The legal timescales for the school to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage candidates to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our GDPR Policy.

### **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 manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

**What we may need from you**

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.

**CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this Privacy Notice, please contact the DPO, [dpo@haydonschool.com](mailto:dpo@haydonschool.com).

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