

General Data Protection Regulation GDPR Privacy Notice for Candidates

Introduction

Candidates for employment at the Samara Trust have many legal rights about how their personal data is obtained, stored, processed and transmitted (i.e. 'processed') both during the period of recruitment and after. The Trust must obtain certain information before a candidate is interviewed and further information before a contract of employment may be offered. This privacy notice details how the Trust will comply with the law and gives you an understanding of why and how the Trust uses the information about you.

This privacy notice does not form part of your contract of employment. The notice may be updated at any time. All people working with or for the Trust must comply with this policy when processing candidates' data.

The Board of Trustees and Leadership of the Trust acknowledge the absolute necessity for correct and lawful treatment of data and are committed to ensuring security for your data.

Roles and Responsibilities

The school is a **Data Controller** as we are responsible for decisions about how and why we use your personal information.

At times the school acts as a **Data Processor** when we are required to obtain, process and transfer data on the behalf of external organisations (such as the Local Authority).

The school has appointed a **Data Protection Officer**

Company: Impero Software

Email: dpo@imperosoftware.com

Tel: 01158389461

Usually the school will coordinate data protection practice through the Principal.

The DPO may be contacted directly should any candidate feel that their concerns about data protection are not being addressed by the school. Amongst the DPO's duties are:

- Advice on the secure storage and transmission of data (both physical and digital)
- Support for a data processing record system
- Support with securing from third parties who might hold personal data through the school certification that they are also complying fully with GDPR duties
- The DPO will communicate with the Information Commissioner's Office should there be a confirmed or suspected data breach
- The DPO will communicate with any person whose data might have been improperly accessed, deleted, lost or stolen

The CEO oversees data security for the Board of Trustees

The principles under which the school will process data

- Data will be kept securely - all employees and contractors share this duty
- Personal information will all be stored no longer than is necessary to exercise the school's duties and statutory requirements
- All employees and contractors will be informed clearly about the purposes for processing data
- The school will keep data relevant, current and up-to-date
- The school will only use personal information in a legal and transparent manner

The categories of information and the bases for which that information is processed

In broad terms the school will collect, store, process and transmit data to meet its duties under

- Employment law
- Safer recruitment
- To meet the school's responsibilities under the Equalities Act

Specifically, the school will process the following information

Data processed on the legal basis of public task for safe recruitment, promotion and pupil safeguarding

Your application with references, proof of qualification, proof of identity, right to work in the UK, DBS certification, any disability, notes on your recruitment process, images captured within the school site by CCTV equipment, your data of birth, and any disciplinary or capability notes should the need arise

Data processed on the legal basis of public task for staff

Medical needs, disability, allergies and any other health needs that you choose to share

Data processed on the legal basis of public task to fulfil the school's duty of accountability

The attainment and achievement of pupils you teach or for whom you share a responsibility, your continuous professional development

Data processed on the legal basis of consent for equality monitoring

You may choose to disclose information regarding your ethnicity, age, religion, gender, sexual orientation and medical needs so that the school can monitor its equality of employment

This cannot be an exhaustive list, but any further information will be collected and used legally and on either the basis of public task or consent. We have to collect some information from former employees and other agencies such as the **Data Barring Service**. The principal use of your information will be for the school to meet its duty for safe recruitment.

If information required on the basis of the school's public task is withheld, then the school might not be able to perform the contract that applies to our working relationship.

You will be notified if we need to use your information in ways other than those so far stated and you will be informed about which legal basis has been selected.

The school regards certain information as particularly sensitive - such as information on physical and mental health, religion, ethnicity and sexuality. Such information will be gathered to support the school's equal opportunities obligations, but will only be gathered given your specific written consent. Such information may also be used to ascertain your fitness to work and to ensure your health and safety and/or to make reasonable adjustments to your working environment and work pattern.

The school does not use your information to make automated decision making.

We share some information with third parties most commonly for HR tasks and as required by the law

Support with recruitment for senior appointments, general advice on appointments

All third parties are required to maintain data security as the law requires.

We require certification from third parties that your information is secure.

After the recruitment process successful candidates will have their personnel data maintained for a period of six years after your period of employment (any records of safeguarding issues will be kept for longer). For unsuccessful candidates' data will be held in a secure manner for six months then deleted/destroyed.

Your duty to inform the school of changes

The school must have up-to-date information which is accurate. Please keep the school informed of any changes to your information during the recruitment period.

Your rights to 'see' your data

Under law, under most circumstances, you have the right to request access to your personal information (usually this is known as a 'data subject request'). Under this right you may request a copy of the information we hold on you and to check that processing is lawful.

You may request correction or completion of any of the data.

You may request that your personal information is erased or restricted if there is information for which there is no good purpose for the school to continue to hold.

Please contact the Principal in writing should you wish to review, correct or erase personal information. Or you may contact the DPO directly. The school has 15 days to meet your request.

Please note that the school has a primary duty of care to the children and may withhold access if it can be demonstrated that this is necessary in the vital interests of a child. You will be informed if this is the case in writing.

There is no fee required for your access to data or for any amendments.

You have the right to withdraw the consent that you have previously granted the school to process certain data. If this is the case, then please contact the Principal in writing.

School compliance

The Trust has appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about your data security or this privacy notice, then please contact the DPO initially.

You have the right to make a complaint to the Information Commissioner's Office (ICO) which is the UK supervisory authority for data protection. For contact details, please see www.ico.org.uk/make-a-complaint.