

Employment at Framlingham College
RECRUITMENT INFORMATION



Job Applicant Privacy Notice



FRAMLINGHAM COLLEGE
FRAMLINGHAM
SUFFOLK
IP13 9EY

T: 01728 723789
E: recruitment@framlinghamcollege.co.uk

FRAMLINGHAMCOLLEGE.CO.UK/EMPLOYMENT



Framlingham
COLLEGE

WHO WE ARE

The College (including Framlingham College Senior and Prep School) is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as an employee of the College. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to prospective employees

WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the College will use (or "process") personal data about: prospective employees.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Applicants are encouraged to read this Privacy Notice and understand the College's obligations to its entire community.

This **Privacy Notice** applies alongside any other information the College may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This **Privacy Notice** also applies in addition to the school's other relevant terms and conditions and policies, including:

- any contract between the College and its employee;
- the College's policy on taking, storing and using images of employees;
- the College's CCTV policy;
- the College's retention of records policy;
- the College's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the College's usage of IT policies.

RESPONSIBILITY FOR DATA PROTECTION

- The College is a Data Controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows: Framlingham College & Prep College, College Road, Framlingham, Suffolk, IP13 9EY.
- The College has appointed the Finance Director as Compliance Officer, in order to ensure that all personal data is processed in compliance with this Privacy Notice and Data Protection law and oversee requests and enquiries concerning the College's uses of personal data.

DATA PROTECTION PRINCIPLES

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for reasons that we find proper;
- only use it in the way that we have told you about;
- ensure it is correct and up to date;
- keep your data for only as long as we need it;
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

WHY THE COLLEGE NEEDS TO PROCESS PERSONAL DATA

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the employment contract that we are party to;
- in order to carry out legally required duties;
- in order for us to carry out our legitimate interests;
- to protect your interests; and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

We need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK and;
- making reasonable adjustments for disabled employees;
- Complying with current child protection and safer recruitment legislation.

We also collect data so that we can carry out activities which are in the legitimate interests of the College. We have set these out below:

- making decisions about who to offer employment to;
- making decisions about salary and other benefits;
- assessing training needs;
- dealing with legal claims made against us.

If you are unsuccessful in obtaining employment, we may seek your consent to retain your data in case other suitable job vacancies arise in the College for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

TYPES OF DATA WE PROCESS

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers;
- your photograph;
- gender;
- marital status;
- medical or health information including whether or not you have a disability;
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin;
- information included on your application form, CV and covering letter; including references, education history and employment history;
- documentation relating to your right to work in the UK;
- driving licence;
- bank details;
- DfES Teaching Reference Number;
- qualifications and training documentation;
- details of your criminal record.

HOW WE COLLECT YOUR DATA

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in a CV, recruitment application form and covering letter, or notes made by our recruiting managers during a recruitment interview. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence and regulatory pre-employment checks.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references.

Personal data is kept in secure personnel files or within the College's HR and IT systems.

WHY WE PROCESS YOUR DATA

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the employment contract that we are party to;
- in order to carry out legally required duties;
- in order for us to carry out our legitimate interests;
- to protect your interests; and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carrying out checks in relation to your right to work in the UK and

- making reasonable adjustments for disabled employees;
- complying with current child protection and safer recruitment legislation.

We also collect data so that we can carry out activities which are in the legitimate interests of the College. We have set these out below:

- making decisions about who to offer employment to;
- making decisions about salary and other benefits;
- assessing training needs;
- dealing with legal claims made against us;
- gaining expert medical opinion about your fitness for work.

If you are unsuccessful in obtaining employment, we may seek your consent to retain your data in case other suitable job vacancies arise in the College for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequences for withholding consent.

SPECIAL CATEGORIES OF DATA

Special categories of data are data relating to your:

- health;
- sex life;
- sexual orientation;
- race;
- ethnic origin;
- political opinion;
- religion;
- trade union membership;
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing;
- we must process the data in order to carry out our legal obligations;
- we must process data for reasons of substantial public interest;
- you have already made the data public.

We will use your special category data:

- for the purposes of equal opportunities monitoring;
- to determine reasonable adjustments.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

CRIMINAL CONVICTION DATA

We will collect criminal conviction data appropriate to your role and as the law obliges us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment.

We process this data because of our legal obligation to comply with child protection and safer recruitment regulations and therefore rely on this lawful basis to process the data.

IF YOU DO NOT PROVIDE YOUR DATA TO US

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with your application.

We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do

not provide us with this information eg confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a criminal records check and other regulatory pre-employment screening.

SHARING YOUR DATA

Your data will be shared with colleagues within the College where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department, those within the recruiting department responsible for screening your application and interviewing you, the IT department where you require access to our systems to undertake any assessments requiring IT equipment.

In some cases, we will collect data about you from third parties, such as employment agencies.

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data in order to obtain references as part of the recruitment process, obtain a criminal record and overseas checks and complete regulatory pre-employment check necessary for the post.

Employees are reminded that the College is under duties imposed by law and statutory guidance (including **Keeping Children Safe in Education**) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the College's Safeguarding Policy.

We do not share your data with bodies outside of the European Economic Area.

PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such breaches.

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

AUTOMATED DECISION MAKING

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

YOUR RIGHTS

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- **Rights of access, etc.**

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the College, and in some cases ask for it to be erased or amended or have it transferred to others, or for the College to stop processing it - but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Compliance Officer.

The College will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).

- **Requests that cannot be fulfilled**

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals, or information which is subject to legal privilege (for example legal advice given to or sought by the College, or documents prepared in connection with a legal action).

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your personal data: for example, a legal requirement, or where it falls within a legitimate interest

identified in this Privacy Notice. All such requests will be considered on their own merits.

HOW LONG WE KEEP PERSONAL DATA

In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months once the recruitment exercise ends.

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for one year once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Compliance Officer. However, please bear in mind that the College may have lawful and necessary reasons to hold on to some personal data even following such request.

DATA SECURITY

The College will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to College systems. Staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

The College will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Compliance Officer, Framlingham College, College Road, Framlingham, Suffolk, IP13 9EY. Tel: 01728 723789.

If an individual believes that the College has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the College Complaints & Grievance Procedure and should also notify the Compliance Officer. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the College before involving the regulator.