

## GDPR Privacy Notice – Job Applicants



Washwood Heath Multi Academy Trust (“WHMAT”) is committed to protecting your personal data and to respecting your privacy.

Under data protection law, individuals have a right to be informed about how Washwood Heath Multi Academy Trust uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals who apply to us for employment.

Washwood Heath Multi-Academy Trust (WHMAT) is the ‘data controller’ for the purposes of data protection law. This means we are responsible for deciding how to use the personal data you provide, ensuring it is kept secure and on kept for as long as we need it.

Our Data Protection Officer ensures we undertake this responsibility. This support is provided Services4Schools Ltd (an external provider) and they be contacted at [dpo@whmat.academy](mailto:dpo@whmat.academy).

As part of any recruitment process, WHMAT collects and processes personal data relating to job applicants.

### **What information does WHMAT collect?**

WHMAT collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which WHMAT needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

### **How does WHMAT collect it?**

WHMAT collects this information in a variety of ways. For example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

WHMAT will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks via the Disclosure & Barring Service.

### **Where will data be stored?**

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

### **Why does WHMAT process personal data?**

WHMAT needs to process data as part of the recruitment process. In some cases, WHMAT needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

WHMAT has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the WHMAT to manage the recruitment process, meet its safeguarding requirements in line with statutory guidance such as *Keeping Children Safe in education*, assess and confirm a candidate's suitability for employment, and decide to whom to offer a job. WHMAT may also need to process data from job applicants to respond to and defend against legal claims.

Where WHMAT relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

WHMAT processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where WHMAT processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

As an education provider, WHMAT is obliged to seek information about criminal convictions and offences. Where WHMAT seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

WHMAT will not use your data for any purpose other than the recruitment exercise for which you have applied.

### **Who has access to data?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment panel, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

Other than to request references in line with safer recruitment practices and to obtain relevant background and right to work checks, WHMAT will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment.

WHMAT will also share your data with third party providers such as the disclosure and barring service to obtain necessary criminal records checks.

Where WHMAT transfers your personal data to third party providers who are based outside of the European Economic Area, this will be explained on forms, or webpages before your data is collected.

### **How does WHMAT protect data?**

WHMAT has internal policies such as a Data Protection Policy and Data Retention Policy in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. These policies can be viewed at [www.whmat.academy](http://www.whmat.academy) policies tab. WHMAT also ensures all its employees receive training and guidance so that they understand how to protect the information, WHMAT is responsible for.

### **How long does WHMAT keep data?**

If your application for employment is unsuccessful, WHMAT will hold your data on file for 6 months after the end of the relevant recruitment process. At this point it will be disposed of securely in line with WHMAT's Data Retention Policy, see [www.whmat.academy](http://www.whmat.academy) policies tab.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your HR file and retained during your employment.

The periods for which your data will be held will be provided to you in a new privacy notice for employees once you are employed by WHMAT. This will also be available on base academy and the WHMAT website.

### **Your rights**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require WHMAT to change incorrect or incomplete data;
- require WHMAT to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where WHMAT is relying on its legitimate interests as the legal ground for processing; and

- ask WHMAT to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override WHMAT's legitimate grounds for processing data.
- If you would like to exercise any of these rights, please contact our external dpo at [dpo@whmat.academy](mailto:dpo@whmat.academy). You can also make a subject access request by emailing this address.

If you believe that WHMAT has not complied with your data protection rights, you can complain to the Information Commissioner.

#### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to WHMAT during the recruitment process. However, if you do not provide the information, WHMAT may not be able to process your application properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

**Reviewed 04/2020**

**WHMAT Core Team & External DPO**