



The Milford Academy

General Data Protection Regulation

Privacy notice for candidates for jobs

What is the purpose of this document?

The Governing Body of The Milford Academy School is a "data controller" for the purposes of the Data Protection Act 2018. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or consultant). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) ("GDPR").

Data protection principles

We will comply with data protection law and principles, which means that your data will 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

The kind of information we hold about you

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:-

- The information you have provided to us in your curriculum vitae and covering letter
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications
- Any information you provide to us during an interview
- Any information you provide to us as part of any test or assessment
- Information obtained from publicly accessible social media and online sources, for the employer's legitimate interests in order to select suitable employees, workers, or contractors

We may also collect, store and use the following types of more sensitive personal information:-

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions (information about political opinions will only be collected, stored and used when: information comes to light that a post-holder of a politically-restricted post, where applicable, may be in breach of the requirements of the Local Government & Housing Act 1989 and subordinate legislation regarding political restriction of officers and staff; where an individual's political opinions conflict with our equality and diversity policies and/or our Code of Conduct for Employees; or where an individual's political opinions are, or may be, proscribed by law)
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences

How is your personal information collected?

We collect personal information about candidates from the following sources:-

- You, the candidate
- Recruitment/supply agency
- Disclosure and Barring Service ("DBS") in respect of criminal convictions
- Your named referees

How we will use information about you

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the work
- Carry out background and reference checks, where applicable
- Communicate with you about the recruitment process
- Keep records related to our hiring processes
- Comply with legal or regulatory requirements

We need to process your personal information to decide whether to enter into a contract of employment or a contract for services with you.

Having received your CV and covering letter or your application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide 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 any test or assessment, to decide whether to offer you the work. If we decide to offer you the work, we will then take up references and/or carry out a criminal record and/or carry out any other check (e.g. with the DBS or a professional regulatory body) before confirming your appointment together with Social Media checks.

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.

How we use particularly sensitive personal information

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

- We will use information about 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, or philosophical beliefs, or your sexual orientation, to ensure meaningful equality and diversity monitoring and reporting

Information about criminal convictions

We envisage that we will process information about criminal convictions.

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

- Where we are legally required by a professional regulatory body to carry out criminal records checks for those carrying out a role you are being considered for
- The role you are being considered for is one which is listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) (as amended) and is also specified in the Police Act 1997 (Criminal Records) Regulations 2002 (SI 2002/233) (as amended) so is eligible for a standard or enhanced check from the DBS
- The role you are being considered for requires a high degree of trust and integrity since it involves dealing with vulnerable citizens or high value funds and so we would like to ask you to seek a basic disclosure of your criminal records history
- Where a criminal conviction or offence may also be evidence of conduct that would breach The Milford Academy School's equality and diversity policies and/or the Code of Conduct for employees

We are allowed to use your personal information in this way to carry out our obligations to vulnerable citizens and, in some instances, our duty of care to other colleagues. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Data sharing

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law or where it is a necessary part of the recruitment process.

We are required by law to pass on some of this data to:

- Nottingham City Council, the local authority that maintains us
- the Department for Education

If you require more information about how Nottingham City Council and/or the Department for Education store and use this data please go to the following websites:

- <https://www.nottinghamcity.gov.uk/privacy-statement/>
- <http://www.education.gov.uk/schools/adminandfinance/schooladmin/a0077963/what-the-department-does-with-school-workforce-data>

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll; pension administration; benefits provision and administration.

Where we engage third parties to process personal data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

The Milford Academy School has an Information Sharing Agreement in relation to Nottinghamshire County Council HR and Payroll processing data.

We will share personal data regarding your participation in any public sector pension scheme with the relevant pension scheme administrator (e.g. Nottinghamshire County Council for the Local Government Pension Scheme or Teachers' Pensions for the Teachers' Pension Scheme).

Data security

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.

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 will you use my information for?

We will retain your personal information for a period of 6 months after we have communicated to you our decision about whether to appoint you to do the work you applied for. 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 The Milford Academy School's data protection procedure, further details are available from the school's Data Protection Officer (see below).

Rights of access, correction, erasure, and restriction

Your rights in connection with personal information

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

- **Request access** to your personal information (commonly known as a "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 – you 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
- **Right to withdraw consent**

When you applied to work with us, you provided consent to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

Data protection officer/contact

If you would like to exercise any of the rights of access, correction, erasure and restriction, or to withdraw your consent for specific processing, or wish to make a subject access request, please contact the School's Data Protection Officer Rachel Flynn, email dpo@milford.nottingham.sch.uk 0115 9152951

Information Commissioner's Office

You have the right to make a complaint at any time to the Information Commissioner's Office ("ICO"), the United Kingdom supervisory authority for data protection issues by contacting:

The Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Website: www.ico.org.uk

Email: casework@ico.org.uk

Please ensure that you have signed and dated the section entitled 'Data Protection' on your application form to confirm your receipt and understanding of this Privacy Notice. If you have any queries, please contact the School's Data Protection Officer.