

Applicant Privacy Notice

Who we are

We are The Westminster School, Hawes Lane, Rowley Regis, B65 9AL. We are a maintained special school for children aged 7 to 19. This privacy notice explains how we collect, store and use personal data about our workforce. We The Westminster School are the 'data controller' for the purposes of the General Data Protection Regulation (GDPR) and as such we are obliged to inform you of the information we hold on you, what we use it for, who we share it with, and for how long we keep it.

What information The Westminster School collect and hold?

- Name, address and contact details, including email address and telephone number, date of birth and gender and preferred pronouns;
- Details of qualifications, skills, experience and employment history, including start and end dates, with previous employers and with SIPS Education Limited;
- Information about marital status and emergency contacts;
- Information about nationality and entitlement to work in the UK;
- Information about criminal records (if applicable);
- Information about medical or health conditions, including whether or not employees have a disability for which The Westminster School needs to make reasonable adjustments;
- Equal opportunities monitoring information including information about employees' ethnic origin, sexual orientation, and religion or belief.

The Westminster School may collect this information in a variety of ways. For example, data might be collected through application forms or through the interview process.

In some cases, The Westminster School may collect personal data about applicant(s) from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law. In most cases, The Westminster School will only seek information from third parties with the prior consent of the applicant(s) in question.

In line with Keeping Children Safe in Education, an online search will be undertaken on all shortlisted candidates. This search does not form part of the shortlisting process and you will have the chance to discuss any issues of concern that come up during the search at interview.

Shortlisted candidates will be asked to provide details of all unspent convictions and those that would not be filtered, prior to the date of the interview. You may be asked for further information about your criminal history during the recruitment process. If your application is successful, this self-disclosure information will be checked against information from the Disclosure and Barring Service before your appointment is confirmed. For posts in regulated activity, the DBS check will include a barred list check. It is an offence to seek employment in regulated activity if you are on a barred list.

Any convictions listed on a DBS check will be considered on a case-by-case basis. All information provided by applicants and the DBS will be treated in strictest confidence in accordance with the DBS's Code of Practice.

Why does The Westminster School process personal data?

The Westminster School has a legitimate interest in processing personal data prior to employment to:

- Run a recruitment process to employ suitable applicants to vacant positions within school;
- Ensure effective general HR and business administration throughout the recruitment process.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to applicants with

disabilities). Where The Westminster School processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is for the purposes of equal opportunities monitoring. Data that The Westminster School uses for these purposes is anonymised or is collected with the express consent of applicants, which can be withdrawn at any time. Applicants are entirely free to decide whether to provide such data and there are no consequences of deciding against this.

The Westminster School process this information under Article 6 and 9 of the General Data Protection Regulations as follows:

Article 6 on the basis of:

- Consent: where you have given The Westminster School clear consent to process your personal data for a specific purpose
- Legal obligation: the processing is necessary for The Westminster School to comply with the law

Article 9 on the basis of:

- Where you have given your explicit consent to the processing of personal data for one or more specified purposes.
- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law

Who has access to data and why do we share it?

- Applicant information may be shared internally as part of the recruitment/shortlisting process. This will include members of the HR team, line managers where the vacancy exists, managers in the business area in which the successful employee will work.
- The Westminster School shares employee data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service.
- Apart from the above examples, we only share your personal data if we believe someone's life is in danger or we believe we are compelled to by law. The secure database we use to store your data is kept in the UK and this data is not transferred to or stored at a destination outside the European Economic Area.

How The Westminster School protect your data

The Westminster School takes the security of your data seriously. The Westminster School has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Policies include Information Security Policy, Data Protection Policy, and email procedures regarding data protection. Where The Westminster School engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical measures to ensure the security of data.

For how long does The Westminster School keep data?

As part of the recruitment process, data will be held for a period of 6 months for unsuccessful candidates.

Requesting Access to your Personal Data and your Data Protection Rights

Under data protection legislation, applicant have the right to request access to information about them that we hold, through a Subject Access Request.

We will provide information in a way that is:

- Concise
- Transparent
- Intelligible

- Easily accessible
- Uses clear and plain language

If you would like to make a subject access request please contact our Data Protection Lead Angela Gibson/Lance Goodby.

Data subjects have the following rights with regards to their personal information, as follows:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purpose of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restrictions, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- The safeguards provided if the data is being transferred internationally

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;

Complaints.

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance. To make a complaint, please contact our Data Protection Lead within school Angela Gibson/Lance Goodby.

Contact Us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Lead.

Our Data Protection Officer (DPO) is provided by SIPS Education Ltd. The following officers can be contacted via GDPR@sips.co.uk:

Amanda Moore
Sue Courtney-Donovan
Laura Hadley

You can also report a concern online to the Information Commissioners Office at <https://ico.org.uk/concerns>
Telephone Number 0303 123 1113

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 12.

Changes to this privacy notice

This privacy notice may be updated from time to time. We encourage you to check this privacy notice from time to time to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for example, how we would like to use your personal data, we will provide a more prominent notice (for example, email notification or correspondence of privacy notice changes).