

## Privacy Notice for Job Applicants

Under data protection law, individuals have a right to be informed how Chiltern Hills Academy 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, use, store and share personal data about individuals applying for jobs at our Academy.

We (Chiltern Hills Academy) aim to ensure that all personal data is collected, stored and processed in accordance with the General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act 2018 (DPA 2018).

We (Chiltern Hills Academy) are a data controller for the purposes of Data Protection Law.

Contact details for our Data Protection Officer are listed below (see 'Contact').

### The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Name and contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships
- Other information included in a CV or cover letter as part of the application process

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to, information about:

- Information about gender, ethnicity, religious beliefs
- Information about disability and access arrangements
- Photographs and CCTV images captured in school

We may also collect, use, store and share (where appropriate) information about criminal convictions and offences.

We may also use, store and share data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

## Why we use this data

The purpose of processing this data is to support the Academy to:

- Enable us to establish relevant experience and qualifications
- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Enable equalities monitoring
- Ensure that appropriate access arrangements can be provided for individuals that require them

## Use of your personal data in automated decision making and profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed above are in accordance with the General Data Protection Regulation (EU) 2016/679 (GDPR).

We will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so:

- The data needs to be processed so that the Academy can fulfil a contract with the individual, or the individual has asked the Academy to take specific steps before entering into a contract
- The data needs to be processed so that the Academy can comply with a legal obligation
- The data needs to be processed to ensure the vital interests of the individual or another person e.g. to protect someone's life
- The data needs to be processed so that the Academy, as a public authority, can perform a task in the public interest or exercise its official authority
- The data needs to be processed for the legitimate interests of the Academy (where the processing is not for any tasks the Academy performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- The individual has freely given clear consent

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing consent if you wish to do so.

## Our basis for using special category data

For 'special category' data, we only collect and use it where we have both a lawful basis, as set out above, and one of the following conditions as set out in data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

### **Collecting this data**

While the majority of information we collect from you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from local authorities, government departments or agencies, police forces, courts or tribunals.

## How we store this data

Personal data is stored in accordance with our Data Protection Policy.

We keep personal information about you during the application process. We may also keep it beyond this if this is necessary. The information is kept secure and is only used for purposes directly relevant to the application process.

We will retain and dispose of your personal information in accordance with the Information and Records Management Society's toolkit for schools.

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.

We will dispose of your personal data securely when we no longer need it.

## Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- The Academy sponsors (Diocese of Oxford, Buckinghamshire Council)
- Government departments or agencies
- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- Non-Academy employees such as Governors, referees
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Professional advisers and consultants
- Employment and recruitment agencies
- Police forces, courts and tribunals

## Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## Your rights

### **a. How to access personal information we hold about you**

Individuals have a right to make a 'subject access request' to gain access to personal information that the Academy holds about them.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

### **b. Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, have personal data we hold about you deleted or destroyed, or restrict processing
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

### **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 Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Contact

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

Data Protection Officer  
Kathy Buxton  
Chiltern Hills Academy  
Chartridge Lane  
Chesham  
Buckinghamshire  
HP5 2RG  
Email: [dataprotection@chacademy.co.uk](mailto:dataprotection@chacademy.co.uk)  
Telephone: 01494 782066

This notice is based on The Key for School Leaders model Privacy Notice for job applicants amended to reflect the way we use data in Chiltern Hills Academy.