DEVON MOORS FEDERATION

PRIVACY NOTICE FOR JOB APPLICANTS

1. How we use job applicant information

Data protection legislation gives job applicants the right to be informed about what personal data is held on them, how that data is used, who it is shared with and how long it is retained. This privacy notice provides this information, in general terms, in relation to information held on job applicants, as well as the lawful bases under which it is collected and retained.

This privacy notice does not form part of any subsequent employment contract.

If after reading this notice you have any questions relating to the data we hold or how we use it, please contact our Data Protection Officer, whose contact details are listed in section 11 of this notice.

2. Categories of information

All Job Applicants

The Devon Moors Federation complies with the Department for Education's Keeping Children Safe in Education statutory guidance regarding information requested from job applicants.

The categories of information that we collect and hold on job applicants include but are not limited to:

- personal details (such as your current and former names, current address and national insurance number)
- personal characteristic information (such as gender, any disability, age and ethnic group)
- special category data (including health data & ethnic group)
- your education and qualifications (including the awarding body and date of the award)
- your full employment history since leaving school (including any voluntary work), complete with reasons for leaving and for any gaps in your employment
- additional details of your present (or most recent) employment including, where relevant, subjects taught
- the job role for which you are applying
- a supporting statement of your personal qualities, skills and experience which you believe are relevant to your suitability for the post advertised and how you meet any person specification provided by us
- any memberships of professional / technical bodies
- your eligibility to work in the UK
- any relationship or interest you may have that could conflict with your employment by the federation
- where you saw the post advertised
- details of referees/references supplied in support of your application
- whether or not you consider yourself to have a disability. This information allows us to make reasonable adjustments to help a person with a disability through the application & selection process and, if you are successful in your application, to assist you in carrying out the duties of your job. In line with Devon County Council's commitment to the Department for Work and Pension's Disability Confident scheme, we will use a declaration of disability to guarantee the applicant an interview so long as they meet the essential criteria of the person specification.

In addition to the above information, which is used to assess your suitability for the role for which you are applying, you will also be requested to provide equal opportunities monitoring information. It is not mandatory that you provide that information and if you don't provide it, this will not affect your application. If you do provide the information requested, it will not form part of our selection process. Instead, any such information you do provide will be used only to produce and monitor diversity statistics. It will be separated from your application form and only used for monitoring purposes to ensure that people are treated fairly and according to their needs. It will only be accessible to the federation's administrative staff, who will record the data in anonymous format for monitoring purposes. Neither the shortlisting panel nor federation staff responsible for making appointment decisions will have access to the information it contains in a way in which you can be identified.

Applicants should be aware that the federation may obtain verification of any information you provide, for example from your current or most recent employer.

Shortlisted Candidates

Additional information will be required from candidates who proceed to be shortlisted for interview.

Shortlisted candidates will be asked to complete a self-declaration of information that could make them unsuitable to work with children, for example:

- if they have a criminal record
- if they are included on the children's barred list
- if they are prohibited from teaching.

The purpose of that self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before any DBS certificate is received.

The federation may perform an online search on shortlisted candidates as part of its due diligence. This may help identify any incidents or issues that are publicly available online which we might want to explore with you at interview.

In addition to asking you to attend an interview, we might ask you to participate in assessment days and/or complete tests or occupational personality profile questionnaires.

During these processes, information will be generated by yourself and by ourselves. For example, you might complete a written test or we might take notes during an interview.

The federation will seek to obtain references prior to interview as this will allow any concerns raised by this to be explored further with the referee and taken up with you at your interview. We will telephone the person who provided the reference in order to verify that they provided the information.

Successful Candidates

All offers of employment made to successful candidates are conditional until satisfactory completion of mandatory pre-employment checks. These pre-employment vetting checks will help the federation check whether a person may be unsuitable to work with children. These checks will include:

- verification of your identity. This may involve checking your name on your birth certificate. We will ask to see the original documents and these will be copied and placed in your personnel file.
- obtaining (via yourself) an enhanced DBS check (including children's barred list information)

- where you would be employed to carry out teaching work, that you are not subject to a prohibition order issued by the Secretary of State
- that under the 2018 Childcare Disqualification Regulations, you are not disqualified from working in a reception class or in wraparound care for children up to the age of 8
- verification of your mental and physical fitness to carry out your work responsibilities via the completion of a pre-employment health questionnaire. This verification is performed by a specialist third party organisation on the federation's behalf and provides us with the opportunity to make reasonable adjustments, if applicable.
- verification of your right to work in the UK
- verification of professional qualifications. We will ask to see the original documents and these will be copied and placed in your personnel file
- if you will be an essential car user you will be asked to provide your driving licence so it can be verified, copied and placed on your personnel file. You will also be asked for your vehicle's details.

Results of pre-employment checks will be recorded on the federation's single central record.

3. Why we collect and use this information

We use job applicant data to:

- contact and communicate with applicants, e.g. to arrange interviews and inform you whether you have been successful in your application
- facilitate safer recruitment as part of our safeguarding obligations
- enable monitoring of selected protected characteristics
- ensure compliance with our legal obligations.

4. The lawful basis on which we use this information

We only collect and use job applicants' personal data when the law allows us to do so. Most data will be processed under Article 6 of the UK General Data Protection Regulation (UK GDPR) on the basis that:

- processing is necessary for compliance with a legal obligation to which we are subject or
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

We may also process job applicant personal data in situations where:

- processing is necessary in order to protect the vital interests of the job applicant or
- the job applicant has given consent to the processing of their personal data for one or more specific purposes.

Where consent has been obtained to use your personal data, this consent can be withdrawn at any time. This will be made clear when we ask for consent and we will explain how consent can be withdrawn.

There may be more than one ground which justifies our use of a particular category of data.

If we need to process any special category data under Article 9 of the UK GDPR which is of a more sensitive nature, we will only do so if we have a lawful basis to do so under Paragraph 2 of Article 9 of the UK GDPR.

No decisions are made by the federation through automated decision making (including profiling).

5. Collecting job applicant information

The majority of job applicant information collected is obtained directly from the job applicant concerned as part of the recruitment process.

We may also hold data about job applicants which has been provided by another party, such as a referee or the Disclosure and Barring Service.

You are under no statutory or contractual obligation to provide personal information to the federation during our recruitment process. However, if you do not provide the information requested, we will probably be unable to proceed with your application.

6. Storing data

In order to protect data whilst it is in our possession, we have data protection policies and procedures in place. These include strong organisational and technical measures and these are reviewed regularly. For further information on how data is protected please contact the federation's Data Protection Officer whose contact details can be found at the end of this privacy notice.

Job application data for successful applicants is retained:

- throughout the period during which successful applicant remains employed by the federation and
- up to six years plus the current year once that member of staff leaves the federation.

Job application data for unsuccessful applicants is retained:

- for twelve months from the conclusion of the relevant recruitment process.

After these timescales, the information will be deleted and/or destroyed.

7. Sharing job applicant information

We do not share information about job applicants with anyone without consent unless the law and our policies allow us to do so.

Where appropriate, some of your information may be shared with federation staff, including those responsible for HR and health and safety. Only information that is essential to the task will be revealed and we will have regard to confidentiality at all times.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about job applicants with third parties. In particular, we may share your data with organisations including, but not limited to, the following:

- senior staff at your previous school (for the purpose of obtaining / verifying references)
- the Department for Education (DfE)
- our local authority (Devon County Council)
- the Disclosure and Barring Service
- Medigold Health (for verification of your mental and physical fitness to carry out the work responsibilities involved)
- Our auditors
- Ofsted.

We require third parties to respect the security of your data and treat it in accordance with the law. All our third party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Once a successful job applicant has satisfactorily passed all mandatory pre-employment checks, they will become a member of the federation's staff. A separate privacy notice for staff explains how personal data pertaining to members of the federation's staff is processed. That privacy notice should be provided to new members of staff as part of their induction and is also available from any of the federation's schools upon request.

Should we ever need to transfer personal data to a country or territory outside of the UK, we would do so in accordance with data protection law.

8. Requesting access to your personal data and your data protection rights

Under data protection legislation, you have the right to request access to information about you that we hold by making a Subject Access Request.

If you make a Subject Access Request we will:

- give you a description of the information held
- tell you why we are processing it and for how long we will keep it
- 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 also have the right to:

- object to processing of personal data if it is likely to cause, or is causing, damage or distress
- prevent processing of your personal data for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances: have personal data erased or destroyed, restrict the processing of data and have inaccurate or incomplete personal data rectified
- seek redress, either through the Information Commissioner's Office or through the courts.

In certain circumstances, individuals also have the right for their personal information to be transmitted electronically to another organisation.

If you would like to make a Subject Access Request or exercise another of the above rights, please contact the federation's Data Protection Officer: dpo@devonmoorsfederation.devon.sch.uk.

9. Withdrawal of consent and the right to lodge a complaint

Withdrawing consent

Where we are processing your personal data with your consent, you have the right to withdraw that consent at any time. If you do change your mind, please let us know by contacting the federation's Data Protection Officer: dpo@devonmoorsfederation.devon.sch.uk.

Making a complaint

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 the federation in the first instance by contacting our Data Protection Officer (see Contact Us below) to express your concerns. The Data Protection Officer will consider your complaint and respond to it.

If you remain dissatisfied with the way that your personal data has been processed, you can then refer the matter 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.

10. Last updated

This version of our privacy notice for job applicants was last updated on 9th May 2024.

11. Contact

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

Alvin Scott (DPO)
Copplestone Primary School
Bewsley Hill
Copplestone
Crediton
Devon
EX17 5NX

Email: dpo@devonmoorsfederation.devon.sch.uk