



## GDPR privacy notice: Applicants to a new role

Schools are currently required to detail to prospective staff how their personal data may be collected and used. Schools can use this template privacy notice to ensure they are compliant with the GDPR and communicate how they process personal data when recruiting new members of staff.

**This document is intended for information purposes only. The intention is to provide examples of elements, structures and information commonly found in privacy notices. This information should not be used as an alternative to professional legal advice. Hub4Leaders will not be liable in respect of any special, indirect or consequential loss or damage as a result of the use of this document.**

### Prospective employees

#### Who processes your information?

As part of the school's recruitment process, certain information needs to be collected so your application can be considered. The following privacy notice informs you how the school intends to collect, use, process and store your data.

The school is the data controller, and they are responsible for any personal data that is provided to the school. This means that they determine the purposes for, and the manner in which, any personal data relating to any prospective staff member is to be processed. A representative of the school, [school office](#), can be contacted on 0191 2622509.

[The LA designated officer](#) is the data protection officer (DPO). Their role is to oversee and monitor the school's data processing practices. This individual can be contacted on [0191 2622509](#) if you have any queries pertaining to how the school processes data.

Where necessary, third parties may be responsible for processing personal information. Where this is required, the school places data protection requirements on third party processors in line with their own data protection requirements, to ensure data is processed in line with prospective staff members' privacy rights.

#### Why do we need your information?

[Denbigh Community Primary School](#) has the legal right and a legitimate interest to collect and process personal data relating to its prospective employees to ensure the school's safeguarding and safer recruitment protocols are upheld. We process personal data to meet

the requirements set out in UK employment and childcare law, including those in relation to the following:

- **[Maintained schools only]** School Staffing (England) Regulations 2009 (as amended)
- **[Academies only]** Academy Funding Agreement
- **[Academies only]** Academy's legal framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009
- Keeping Children Safe in Education 2016
- Working Together to Safeguard Children 2015

Individuals who are recruited will have their personal data processed to assist in the running of the school, and to enable individuals to be paid.

If prospective members of staff fail to provide their personal data, there may be significant consequences. These include the following:

#### **Employment checks:**

**Failure to provide the school with ample proof of a right to work in the UK will prevent employment at name of school.**

**Employees found to be working illegally could face prosecution by law enforcement officers.**

#### **Salary requirements:**

**Failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax.**

#### **For which purposes are your personal data processed?**

In accordance with the above, personal data pertaining to prospective members of staff is used for the following reasons:

- **Contractual requirements**
- **Employment checks, e.g. right to work in the UK**
- **Salary requirements**
- **Safeguarding Requirements**

#### **Which data is collected?**

The personal data the school will collect from the prospective members of staff includes the following:

- Name
- Phone number
- Address

- Work history for example, previous employers and positions
- Compensation for example, basic salary or benefits
- Education and work history including professional qualifications and skills
- References, including regulated references where necessary
- Nationality, visa, proof of right to work permit information including passport, driving licence, National Insurance numbers
- Photographs and images from recorded assessments
- Results of Pre-employment screening checks for example, credit history, criminal records checks where permitted under local law)
- Characteristics such as ethnic group
- Remuneration details
- Qualifications
- Absence information

The collection of personal information will benefit both the DfE and LA by:

- Improving the management of workforce data across the sector.
- Enabling the development of a comprehensive picture of the workforce and how it is deployed.
- Informing the development of recruitment and retention policies.
- Allowing better financial modelling and planning.
- Enabling ethnicity and disability monitoring.
- Supporting the work of the school teachers' review body.

### **Will your personal data be sought from third parties?**

Personal data is only sought from the data subject. No third parties will be contacted to obtain personal data pertaining to prospective members of staff without the data subject's consent.

Prospective staff members' personal data may be obtained and processed from third parties where the law requires the school to do so, e.g. medical records from a GP. The categories of data obtained and processed from third parties include:

Where data is obtained from third parties, the personal data originates from the following sources:

### **How is your information shared?**

**Denbigh Community Primary School** will not share your personal information with any third parties without your consent, unless the law allows us to do so.

We are required, by law, to pass on some personal information to our LA and the DfE. This information is used so that relevant pre-employment checks can be made. This information can be found on certain documentation for example your passport. Documents required to perform pre-employment checks are:

- Your passport
- Your birth certificate
- Your most recent bank statement

- **[For non-EU persons only]** A biometric residence permit

### **How long is your data retained for?**

Personal data is retained in line with [Denbigh Community Primary School's Records Management Policy](#).

Personal information may be retained for varying periods of time depending on the nature of the information; you will be informed on how long your data will be obtained by the school. Data will only be retained for as long as is necessary to fulfil the purposes for which it was processed, and will not be retained indefinitely if there is no such reason for it to be.

Once your data has served its purpose it will be disposed of in line with the procedure outlined in the school's [Records Management Policy](#).

If you require further information regarding retention of data, and the periods for which your personal data is held for, please download our [Records Management Policy from the school website](#) or contact our [DPO](#) for a copy.

### **What are your rights?**

As the data subject, you have specific rights to the processing of your data.

You have a legal right to:

- Request access to the personal data that [Denbigh Community Primary School](#) holds.
- Request that your personal data is amended.
- Request that your personal data is erased.
- Request that the processing of your data is restricted.
- Request to obtain and reuse your personal data for your own purposes across different services.
- Object to your consent being obtained.
- Request that your personal data is collected using automated processing.

Where the processing of your data is based on your explicit consent, you have the right to withdraw this consent at any time. This will not affect any personal data that has been processed prior to withdrawing consent. You can withdraw consent by in writing.

You also have the right to lodge a complaint with the ICO in relation to how [Denbigh Community primary School](#) processes your personal data. If you wish to make a complaint to the ICO, you can do so on the ICO's website or call their helpline on 0303 123 1113.

### **How can you find out more information?**

If you require further information about how we store and use your personal data, please visit our website, <http://denbighps.org.uk>, the Gov.UK website, or download our [GDPR Data Protection Policy](#) and [Records Management Policy](#).

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## Declaration

I, **name of prospective staff member**, declare that I understand:

- **Denbigh Community Primary School** has a legal and legitimate interest to collect and process my personal data in order to meet statutory and contractual requirements.
- There may be significant consequences if I fail to provide the personal data the school requires.
- The school may share my data with the DfE if I am successful in my application, and subsequently the LA.
- If I am successful in my application then I understand that I will receive a separate workforce privacy notice from the school.
- **Denbigh Community primary School** will not share my data with any other third parties without my consent, unless the law requires the school to do so.
- The nature and personal categories of this data, and where the personal data originates from and where my data is obtained from third parties.
- My data is retained in line with the school's **Records Management Policy**.
- My rights to the processing of my personal data.

**Name of prospective staff member:** \_\_\_\_\_

**Signature of prospective staff member:** \_\_\_\_\_

**Date:** \_\_\_\_\_