

## Data protection privacy notice (Recruitment)

This notice explains what personal data (information) we will hold about you, how we collect it, and how we will use and may share information about you during the application process. We are required to notify you of this information, under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

### Who collects the information

International School of Creative Arts ('Company') is a 'data controller' and gathers and uses certain information about you

### Data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our *data protection (employment) policy*.

### What information

We may collect the following information up to and including the shortlisting stage of the recruitment process:

- Your name and contact details (ie address, home and mobile phone numbers, email address);
- Details of your qualifications, experience, employment history (including job titles, salary, and working hours) and interests;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- Information regarding your criminal record
- Details of your referees;
- Information about your health, including any medical condition, health and sickness records for the purposes of establishing if any adjustments need to be made to the recruitment process

We may collect the following information after the shortlisting stage, and before making a final decision to recruit:

- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers Δ;
- Information regarding your academic and professional qualifications Δ;
- Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs) Δ;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information Δ;



- Information about your health, including any medical condition, health and sickness records for the purposes of assessing the ability to carry out intrinsic elements of the role $\Delta$

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked 'Δ' above to us to enable us to verify your right to work and suitability for the position.

### **How we collect the information**

We may collect this information from you, your referees (details of whom you will have provided), your education provider and/or the relevant professional body the Disclosure and Barring Service (DBS), the Home Office.

### **Why we collect the information and how we use it**

We will typically collect and use this information for the following purposes (other purposes that may also apply are explained in our *data protection policy*).

- to take steps to enter into a contract;
- for compliance with a legal obligation (eg our obligation to check that you are eligible to work in the United Kingdom);
- for the performance of a task carried out in the public interest;
- for the purposes of our legitimate interests, but only if these are not overridden by your interests, rights or freedoms;
- because it is necessary for carrying out obligations or exercising rights in employment law; and
- for reasons of substantial public interest (preventing or detecting unlawful acts).

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

### **Rights for Data Subjects**

Your rights are observed when processing or using personal information.

You (in common with other data subjects) have the following rights in relation to your personal information:

- to be informed about how, why and on what basis that information is processed
- to obtain confirmation that your information is being processed and to obtain access to it and certain other information, by making a subject access request
- to have data corrected if it is inaccurate or incomplete
- to have data erased if it is no longer necessary for the purpose for which it was originally collected/processed, or if there are no overriding legitimate grounds for the processing (this is sometimes known as 'the right to be forgotten')

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- to restrict the processing of personal information where the accuracy of the information is contested, or the processing is unlawful (but you do not want the data to be erased), or where the employer no longer needs the personal information but you require the data to establish, exercise or defend a legal claim
- to restrict the processing of personal information temporarily where you do not think it is accurate (and the employer is verifying whether it is accurate), or where you have objected to the processing (and the employer is considering whether the organisation's legitimate grounds override your interests)

If you wish to exercise any of the rights in paragraphs above, please contact the Head of Operations.

### Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- Who the data has been, or will be, shared with
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing, either by letter or email to the Data Protection Officer. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

### **Responding to subject access requests**

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary



If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

### Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it, you also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for your personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the Data Protection Officer.

### **Storage and Deletion of Data**

The School will store data in line with its Retention and Disposal Schedule, as laid out in its Data Protection Policy.

### **Safeguarding Data**

The school retains data relating to Safeguarding with the current guidelines from DfE Keeping Children Safe in Education for Keeping Children Safe for Schools and Colleges. At the time of this policy the guidelines to preserve records were for the term of an Independent Inquiry into Child Sexual Abuse (IISCA). All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.



## **How we may share the information**

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.

## **Sensitive personal information and criminal records information.**

Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our Data Protection Policy. A copy of this policy can be requested from the Head of Operations at ISCA.