



Lady Margaret School Privacy Notice

How we use Applicant Information

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold about you as applicants, including what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If it, or any information linked to it, is unclear, please contact the school office, or the school's Data Protection Officer. Contact details for both are available at the end of this privacy notice.

We, Lady Margaret School at Parsons Green, London SW6 4UN, are the Data Controller for the purposes of data protection law.

As a public body we have appointed a Data Protection Officer (DPO), Claire Mehegan, London Diocesan Board for Schools, who is contactable via email claire.mehegan@london.anglican.org.

1. The categories of applicant information that we collect, hold and share include but are not limited to:

- Basic Details (e.g. title, name)
- Personal Information (e.g. NI number)
- Contact Information (e.g. home telephone number, mobile telephone number, home email)
- Current Address Information
- Education and Qualifications (e.g. teacher number, QTS, induction status, class of degree, secondary education, higher education)
- Employment History (e.g. current post, previous posts, previous employers, salary details, periods when not working, referees)
- Disclosure and Barring Service Information (e.g. convictions, cautions, reprimands, formal warnings, bind-over orders)

We collect all the information requested in our application form and, if shortlisted, from the selection process. We may also hold personal data about you from third parties, such as references supplied by former employers.

We may collect this information in a variety of ways. For example, data might be contained in application forms or CVs (including when these are sent to us as part of speculative applications or queries), or other methods of assessment.

During the process we may also inadvertently capture some special categories of personal information about you (e.g. information relating to your racial or ethnic origin, religious or philosophical beliefs, trade union membership, physical or mental health condition, sexual orientation), where this has been

provided or made publically available by you or can be inferred from your application documentation or CV.

We may also request and process certain special categories of information about you (e.g. information about a physical or mental health condition) in order to make reasonable adjustments to enable candidates to apply for jobs with us, to attend interviews, to prepare for starting employment (if successful) and to ensure that we comply with regulatory obligations placed on us with regard to our hiring.

2. Why we collect and use this information

The purpose of collecting and processing this data is to help us recruit staff and run the school efficiently, including to:

- Administer the application, shortlisting and selection processes
- Monitor compliance with our policies
- Facilitate our safer recruitment of staff, as part of our safeguarding obligations towards pupils
- Fulfil our legal obligations in recruiting staff
- Assess your suitability to work with children and young people
- Inform the development of recruitment and retention policies
- Defend legal claims
- Detect and prevent fraud
- Ensure that the most suitable applicant is appointed to the role, based on an assessment of their likely performance amongst other factors
- Comply with the law regarding data sharing

No decisions are based on automated decision making.

The information given to us, and collected and processed by us will form part of the contract of employment (or other work-related contract) for successful candidates. In addition we need to process this information to ensure that we are complying with our legal obligations under the Employment Act and with the DfE statutory guidance document, Keeping Children Safe in Education, as well as other school specific legislation.

3. The lawful basis on which we use this information

Our lawful basis for collecting and processing applicant information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes
- (b) Processing is necessary to fulfil contractual obligations
- (c) Processing is necessary to comply with the legal obligations of the controller
- (d) Processing is necessary to protect the vital interests of the data subject
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education)

Our lawful basis for collecting and processing your information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive or special information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent
- (b) It is necessary to fulfil the obligations of controller or of data subject
- (c) It is necessary to protect the vital interests of the data subject

- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (h) Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment
- (i) It is in the public interest.

Where we have obtained consent to use applicants' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn. Some of the reasons listed above for collecting and using your personal data overlap, and there may be several grounds which justify our use of this data.

4. Collecting applicant information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain your information to us or if you have a choice in this. Where we have obtained consent to use your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

You are under no statutory or contractual obligation to provide data to Lady Margaret School during the recruitment process. However, if you do not provide the requested information, we may not be able to process your application properly or at all.

5. Storing your data

Information from your application form and from the shortlisting and selection process will be stored in a paper-based file and also in other IT systems, including email.

A copy of your application form and all other personal data collected during the recruitment and selection process will be held as follows:

- For successful applicants this will be transferred to a personnel file where it will be held securely. You will be given a staff privacy notice upon appointment which will explain how we will hold and process your data as an employee.
- For unsuccessful applicants (including those who have speculatively applied for a role which is not available), securely for a period of six months. At the end of that period, your data is deleted or destroyed (unless we need to retain it for longer to exercise or defend any legal claims).
- For unsuccessful applicants who have consented to us contacting them within a period of six months following the application if another suitable vacancy arises, securely for a period of six months.
- For unsuccessful applicants who have consented to their application being passed on to another London Diocesan Board for Schools (LDBS) school with a similar vacancy, securely for a period of six months.

If we wish to process your personal data for a new purpose we will inform you of any additional processing.

We have a Data Protection Policy and appropriate procedures in place, which are regularly reviewed. Please refer to the school's Data Protection Policy for further information which can be found on the school website www.ladymargaret.lbhf.sch.uk

6. Who we share information with

Your information will be shared with school staff with a recruitment responsibility. This will include members of our HR and administrative staff, those responsible for shortlisting and interviewing and managers within the relevant area of work or department.

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

We will not share your data with third parties unless and until an offer of employment is made to you. At that stage, your data will be shared to fulfil legal requirements, obtain or provide necessary information or because the third party processes data on our behalf. These third parties include:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information relating to certain staffing matters
- The Department for Education - to meet our legal obligations to share certain information with it
- Your family and representatives – such as in the event of an emergency
- Educators and examining bodies – such as ensuring we adhere to examining regulations to guarantee the validity of examinations
- Ofsted – such as during the course of a school inspection
- Suppliers and service providers – to enable them to provide the service we have contracted them for e.g., HR, payroll, employee benefit schemes
- Financial organisations e.g. Pension Scheme
- Central and local government – such as workforce analysis
- Our auditors, to ensure our compliance with our legal obligations
- Health authorities and Occupational Health and employee support schemes – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Security organisations – to create a secure workplace for staff
- Health and social welfare organisations – to ensure the wellbeing of our staff body in accordance with our responsibilities as employer
- Professional advisers and consultants – for us to develop our service to best provide our public service
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Employment and recruitment agencies
- Future employers

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.

When we appoint third parties to process data on our behalf, the third party is also required to process the data lawfully and fairly and in a manner that ensures appropriate security of the data, using appropriate technical or organisational measures to protect against unauthorised or unlawful processing and accidental loss.

7. Why we share your information

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

Local authority

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments

Department for Education (DfE)

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment. We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We are required to share information about our staff with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

8. Data collection requirements:

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice or guidance

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- Who is requesting the data
- The purpose for which it is required
- The level and sensitivity of data requested; and
- The arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To contact the department: <https://www.gov.uk/contact-dfe>

9. Requesting access to your personal data and your Data Protection Rights

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

If you make a Subject Access Request, and if we do hold information about you, we will:

- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

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; and
- Claim compensation for damages caused by a breach of the Data Protection regulations

10. 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.

Please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbhf.sch.uk or telephone 020 7736 7138.

To make a complaint, please contact our Data Protection Officer, Claire Mehegan, London Diocesan Board for Schools via email claire.mehegan@london.anglican.org.

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

11. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact in the first instance the School's Data Manager, Magdalena Telecka-Klimkiewicz by email mteleckaklimkiewicz@ladymargaret.lbf.sch.uk or telephone 020 7736 7138.