Acorn
Integrated Primary & Nursery Unit

Candidate Privacy Notice

CANDIDATE PRIVACY NOTICE

For those seeking employment with Acorn Integrated PS

ABOUT US

The Board of Governors of Acorn Integrated Primary School ('AIPS') is the data controller of the personal information you provide to us as an individual seeking employment with AIPS. This means the AIPS determines the purposes for which and the manner in which any personal information relating to a candidate's application and the recruitment procedure generally is processed.

We are required under the General Data Protection Regulation (GDPR) to notify you of the information contained in this privacy notice.

This privacy notice describes how we collect and use personal information during the recruitment process and afterwards in accordance with the GDPR.

It applies to all recruitment candidates whose application is received by AIPS. This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical. Should your application be successful, when you commence employment with AIPS, we will provide you with another privacy notice that explains how we deal with your personal information whilst you are working for us.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the GDPR.

If you have any questions about this privacy notice or how we handle personal information, please contact our Data Protection Officer (DPO) who monitors the AIPS's data protection procedures to ensure they meet the standards and requirements of the GDPR. The DPO can be contacted at the Education Authority, 40 Academy Street, Belfast, BT1 2NQ, by telephone at 028 8241 1300 or by email at dpo@eani.org.uk.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. The ICO's details are as follows: **The Information Commissioner's Office – Northern Ireland**

3rd Floor
14 Cromac Place,
Belfast
BT7 2JB

Telephone: 028 9027 8757 / 0303 123 1114 Email:
ni@ico.org.uk

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers or background check agencies.

If you fail to provide certain information when requested, we may not be able to process your application or proceed through the recruitment process, or we may be prevented from complying with our legal obligations.

WHAT PERSONAL INFORMATION DO WE COLLECT, STORE AND USE ABOUT YOU

At the initial stages of recruitment, we collect, hold and use the following types of personal information:

- personal information (such as name, title, employment history, national insurance number, contact information, photographs, qualifications/training (including academic, vocational and professional qualifications and driving licenses where appropriate), referees' names and contact details
- publicly available information about you, such as your business social media presence
- selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests (e.g. technical assessments, ability tests)

If you are shortlisted for a position, or you receive a condition offer of employment, we may collect, hold and use the following additional types of personal data about you:

- Pre-employment check information, including references and verification of qualifications
- Right to work checks and related documents.

We rely on one or more of the following legal grounds when we process your personal information:

- We need it to take steps at your request in order to enter into a contract with you (**entry into a contract**), because by applying for a job with us you are effectively asking us to enter into a contract with you.
- We need it to comply with a legal obligation (**legal obligation**), e.g. the obligation not to discriminate during our recruitment process, or the obligation not to employ someone who does not have the right to work in the UK.
- We may also collect and use your personal information in order to meet legal requirements set out in the General Data Protection Regulation and UK law, including:
    - Education and Libraries (NI) Order 1986
    - Education (NI) Order 1998
    - Education Act (NI) 2014
- It is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests (**legitimate interests).** For example, it is in our legitimate interests to review and consider your personal information (as listed above) so that we can select the most appropriate candidate for the job.

Special category information is usually more sensitive data and as such, we need to have an additional legal ground (as well as the legal grounds set out above) to collect, hold and use it. The additional legal grounds that we rely on to collect, hold and use your special category information are explained below for each type of special category information:

- equal opportunities monitoring data which could include information such as race or ethnicity, religious beliefs, sexual orientation or health. We use this information to report and monitor

equality of opportunity and diversity in our recruitment process. Our additional legal ground for using this information is that it is necessary in the public interest for the purposes of equal opportunities monitoring and is line with our Data Protection Policy.

- Information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability. We use this information to enable us to carry out a fair, non-discriminatory recruitment process by considering / making reasonable adjustments to our process as appropriate. Our additional legal ground for using this information is that we need it to comply with a legal obligation / exercise a legal right in relation to employment, namely the obligation not to discriminate and to make reasonable adjustments where legally obligated to do so. Such use is in line with our Data Protection Policy.

- Information about your health in a pre-employment health questionnaire and /or examination as well as any information about underlying medical conditions and adjustments that you have brought to our attention. We use this information to assess whether you are fit to do the job with adjustments, to consider / arrange suitable adjustments and to comply with health and safety requirements. Our additional legal ground for using this information is that we need it to comply with a legal obligation / exercise a legal right in relation to employment, namely the obligation to make reasonable adjustments to accommodate a disability - such use is in line with our Data Protection Policy and it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

- We may request criminal records checks from Access NI. We use this information to assess your suitability for the role and verify information provided by you. Our additional legal ground for using this information is that you have given us your explicit consent to do so.

WHY DO WE COLLECT AND USE THIS INFORMATION?

In order to manage your application, we need to process certain personal information about you. We only process your information as necessary for the purposes of progressing your application or as required by law or regulatory requirements.

- Processing your application and corresponding with you about it
- Verifying information provided by you
- Making an informed decision about your recruitment or appointment
- Determining the terms on which you may ultimately work for us
- Checking you are legally entitled to work in the UK
- Assessing skills, experience, qualifications and training for a particular job or task,
- Dealing with legal disputes involving you, or other potential candidates or employees
- Equal opportunities monitoring
- To enable us to make reasonable adjustments for candidates with disabilities to apply for jobs
- To ensure that we comply with regulatory obligations placed on us with regard to our hiring
- To keep appropriate records of our recruitment process and decisions.

Data protection law specifies the legal grounds on which we can hold and use personal information. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

CONSENT

Whilst the majority of the personal information you provide to the AIPS is required for us to comply with our legal obligations, some of that information is provided on a voluntary basis. When collecting personal information, we will inform you whether you are required to provide this information or if your consent is needed. Where consent is required, we will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

You have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Officer using the contact details stated above. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legitimate basis for doing so in law.

HOW LONG IS YOUR PERSONAL INFORMATION STORED FOR?

Personal information relating to job applicants is stored in line with the Public Record Office (NI) record management good practice guidance and our retention and disposal of records schedule. If you would like further information, please contact the DPO using the contact details above.

If your application is successful, when you commence employment with AIPS, you will be issued an Employee Privacy Notice which will include information about what personal data we keep from the recruitment process and how long we keep your personal information whilst you are working for us and after you have left.

If your application is unsuccessful, we will keep your personal information for up to 4 years from the date we notify you of our decision. We will keep equality monitoring information for up to 4 years.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of AIPS we will retain and securely destroy your personal information in accordance with the Public Record Office (NI) record management good practice guidance and our retention and disposal of records schedule.

DATA SECURITY

We have put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know. They will only process personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator (currently the Information Commissioner's Office) of a suspected breach where we are legally required to do so.

WHO WE SHARE EDUCATION AUTHORITY CANDIDATE INFORMATION WITH

We may have to share your data with third parties, including third-party service providers and other bodies such as:

- The Department of Education
- Northern Ireland Substitute Teacher Register Operator (Eteach)
- Occupational Health Providers
- General Teaching Council for Northern Ireland

- Education Training Inspectorate
- Northern Ireland Social Care Council
- Internal and external providers of legal/professional services
- Home Office
- Equality Commission
- Northern Ireland Audit Office
- PSNI
- Capita Managed IT Solutions
- Northgate
- Fujitsu

WHY WE SHARE EDUCATION AUTHORITY CANDIDATE INFORMATION

We will share your personal information with third parties where required by law or where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

To be granted access to your information, organisations must comply with AIPS's strict terms and conditions covering the confidentiality and handling of the personal information, security arrangements and retention and use of the personal information.

REFERENCES

If you give us details of referees, we require you to inform them what personal information of theirs you are giving to us. You must also give them our contact details and let them know that they should contact us if they have any queries about how we will use their personal information.

TRANSFERRING INFORMATION OUTSIDE THE EEA

We will not transfer the personal information we collect about you to any country outside the EEA without telling you in advance that we intend to do so and what steps we have taken to ensure adequate protection for your personal information in those circumstances.

YOUR DUTY TO INFORM US OF CHANGES

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment and selection process**.**

YOUR RIGHTS OF ACCESS, CORRECTION, ERASURE AND RETENTION

Under GDPR, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the DPO using the contact details stated above.
We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

You also have the right to:

- **Request access** to personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a

reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.