# Job Applicant Privacy Notice

| Version | Date | Summary of changes | Author |
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| V1.0 | October 2025 | Initial version | One West |
| V1.1 | October 2026 | Updated lawful basis, DPO contact details, subject access requests, right to work checks, data portability rights and GDPR compliance wording. | One West |

This privacy notice, in accordance with the Data Protection Act 2018, informs job applicants about how the school will use their personal data.

As part of any recruitment process, the school collects and processes personal data relating to job applicants. The school is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Westbury Infant School is the Data Controller for the purposes of UK GDPR and the Data Protection Act 2018. The school's Data Protection Lead is Florence Emerson, School Business Manager. The school's Data Protection Officer service is provided through One West. For data protection queries please contact finance@westbury-inf.wilts.sch.uk.

### What information does the school collect?

The school / academy collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number.
- details of your qualifications, skills, experience and employment history.
- information about your current level of remuneration, including benefit entitlements.
- whether you have a disability for which the school / academy needs to make reasonable adjustments during the recruitment process.
- information about your entitlement to work in the UK for the purpose of immigration requirements.

We may process special category personal data where necessary for employment, safeguarding, equality monitoring, occupational health, and legal compliance purposes.

The school can collect this information in a variety of ways e.g. from application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

At the shortlisting stage of the recruitment process, the school will undertake an online search as part of their safeguarding due diligence on shortlisted candidates. Online searches are undertaken to identify any incidents or issues that have happened, and are publicly available online, which may call into question a candidate's suitability to work with children.

As part of the recruitment process, the school is required to verify that applicants have the legal right to work in the United Kingdom. We may therefore collect and process information and documentation relating to an applicant's identity, nationality, immigration status, visa status and right to work permissions where applicable.

Where a successful applicant requires immigration sponsorship to work in the UK, we may process additional personal information as necessary to meet our obligations under UK immigration legislation and Home Office requirements.

The school may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. Criminal records information will only be processed where legally authorised and necessary for safeguarding children and vulnerable persons, prevention of fraud, or compliance with statutory obligations.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

Personal data is normally stored within the UK. Where any personal data is transferred outside the UK, appropriate safeguards will be implemented in accordance with UK GDPR requirements.

## Why does the school process personal data?

The school needs to process data to take steps, at your request, prior to entering into a contract with you. It may also need to process your data to enter into a contract with you.
In some cases, the school needs to process data to ensure that it is complying with its legal obligations e.g. it is required to check a successful applicant's eligibility to work in the UK before employment starts.

Processing personal data from job applicants and keeping records of the process allows the school / academy to deliver a service, manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The school may also need to process data from job applicants to respond to and defend against legal claims.

The school may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics for equality monitoring purposes. It also collects information about whether applicants are disabled to make reasonable adjustments for candidates who have a disability. The school processes such information to carry out its obligations and exercise specific rights in relation to employment.

The school is obliged to seek information about criminal convictions and offences because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment and to undertake our safeguarding role for the protection of children.

If your application is successful, the school will retain the information provided on this form on your file. If your application is unsuccessful, all documentation relating to your application will normally be confidentially destroyed after six months.

## Lawful basis for processing

The school needs to collect and use your personal information for a number of purposes, as described above, in relation to the recruitment and selection process.
Depending on the processing activity, we rely on the following lawful basis for processing your personal data under the Data Protection Act:

Article 6(1)(b) which relates to processing necessary for the performance of a contract;
Article 6(1)(c) so we can comply with our legal obligations as an employer, such as ensuring your right to work within the UK and making reasonable adjustments in our recruitment process.

Article 6(1)(e) Public Task, where processing is necessary for the school to perform its public functions and statutory responsibilities.

### Who has access to data?

Your information may be shared internally for the purposes of the recruitment exercise. This includes HR and interviewers involved in the recruitment process.
The school will share your data with former employers and referees to obtain references prior to interview or before an offer of employment is made. The school will not share your data with other third parties unless your application for employment is successful and it makes you an offer of employment. If successful, the school will then share your data with employment background check providers to obtain necessary background checks for example the Disclosure and Barring Service to obtain necessary criminal records checks.

For applicants who require permission to work in the United Kingdom the school may need to share personal data with legal advisers and the Home Office to make sure it complies with immigration requirements.
We may supply a reference to a prospective employer in response to an official reference request.

### How does the school protect data?

The school takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

### For how long does the school keep data?

If your application for employment is unsuccessful, the school will hold your data on file for 6 months after the end of the relevant recruitment process so it can respond to any queries and for statistical purposes in order to produce the annual equalities data report.

Personal data regarding right to work checks for unsuccessful applicants may need to be retained for up to seven years for Home Office compliance audit purposes.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained for the duration of your employment. The details on your personal file will be held in accordance with the school's retention policy.

### Your rights

As a data subject you have a number of rights.
Your rights are set out in the Data Protection Act 2018 and include:

- the right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- the right to withdraw any consent you may have given to process your personal information.
- the right to complain to the Information Commissioner if you feel we are processing your personal information unlawfully.
- the right to restrict processing activity in certain circumstances.
- the right to object to certain types of processing activity.
- The right to data portability in certain circumstances

You have the right to request access to the personal information that we hold about you. This is known as a Subject Access Request (SAR). If you wish to make a request for a copy of your personal information, please contact the school using the details provided in this notice.

We will normally respond to your request within one month of receiving it, although in some circumstances this period may be extended where permitted by data protection law.
There is normally no charge for making a Subject Access Request. However, we may charge a reasonable fee or refuse a request where it is manifestly unfounded or excessive.
We encourage you to contact the school in the first instance regarding any concerns about how your personal information is being processed before contacting the Information Commissioner's Office (ICO).

If you would like to exercise any of these rights, please contact our nominated person for data protection at finance@westbury-inf.wilts.sch.uk

### What if you do not provide personal data?

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

### Automated decision-making

Recruitment processes are not based solely on automated decision-making.