

# **Blossom House School Applicant Privacy Notice**

**Reviewed Sept 2023 Z Hodges**

## **What is the purpose of this document?**

Blossom House School is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the UK General Data Protection Regulation (GDPR).

## **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

## **The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, employment and education history, qualifications and references.
- Any information you provide to us during an interview (such as your date of birth, right to work, DBS certificates, qualifications and proof of address).

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.
- Information obtained from social media screening checks and/or online searches (see below for further detail). Such information will only be obtained and then held for candidates to whom offers are subsequently made.

## **How is your personal information collected?**

We collect personal information about applicants from the following sources:

- You, the applicant.
- The recruitment agency that has recommended you (if applicable), from which we collect the following categories of data: your curriculum vitae; information about criminal convictions and offences (including DBS certificate number and references).
- Access Personal Checking Services Ltd background check provider, from which we collect the following categories of data: they process our DBS certificates.
- Disclosure and Barring Service in respect of criminal convictions.
- National College for Teaching and Leadership in respect of suitability to work with Children.
- Your named referees, from whom we collect the following categories of data: employment details; performance details; suitability for appointment including suitability to work with children, whether you were subject to any disciplinary action.
- Vero Screening in respect of social media screening.
- The following data from third parties is from a publicly accessible source: HCPC register for therapists.

## **How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the work OR role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the role you are applying for since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your application form we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. Prior to interview, we will take up references. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then carry out a criminal record check and before confirming your appointment.

## **If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your

application successfully. For example, if we require a criminal records check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

### **How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during interview.

- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Information about Social Media Compliance**

Social Media checks may lead to us obtaining Biometric data. Biometric data includes images, photos and film. As per the GDPR, biometric data is a special category data. Our lawful basis for processing such data is that it is in our legitimate interests to decide whether to appoint you to the role you are applying and to decide whether to enter into a contract of employment with you.

Please refer to our social media policy (annexed to this privacy notice) for further information about Blossom House School's expectations in relation to social media and the fact we conduct social media screening during recruitment.

### **Information about criminal convictions**

We will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you work at the School (conditional on checks and any other conditions, such as references, being satisfactory). We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- We are legally required by the Department for Education and Ofsted to carry out criminal record checks for those who are working in a regulated activity.
- All roles at the School are eligible for an enhanced check from the Disclosure and Barring Service as they involve working in regulated activity with Children.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

### **Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data sharing**

#### **Why might you share my personal information with third parties?**

We will only share your personal information with the following third parties for the purposes of processing your application; Access Personal Checking Services Ltd to process your DBS certificate and the Disclosure and Barring Service in respect of a criminal record check and Vero Screening to allow them to carry out social media screening (in both cases, only if we make an offer of employment to you). All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Data security**

We have put in place appropriate security measures to prevent your 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 business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the HR Manager (hrteam@blossomhouseschool).

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data retention**

#### **How long will you use my information for?**

We will retain your personal information for a period of six to twelve months after we have communicated to you our decision about whether to appoint you to work. The data collected will be transferred to your personnel file. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against applicants on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

### **Rights of access, correction, erasure, and restriction**

#### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your 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.
- **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.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the HR Manager (hrteam@blossomhouseschool) in writing.

**Right to withdraw consent**

When you applied for this role (on the date detailed below), you provided consent to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the HR Manager (hrteam@blossomhouseschool). Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

**Data processors**

We have appointed a data processor to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the data processor the HR Manager (hrteam@blossomhouseschool or 020 8879 9902). 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.

I, \_\_\_\_\_ (candidate name), acknowledge that on

\_\_\_\_\_ (date), I received a copy of Blossom House School Applicant's Privacy Notice and that I have read and understood it.

Signature

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## **Annex 1**

### **SOCIAL MEDIA POLICY**

The purpose of this policy is to minimise the risks to our School through use of social media. This policy applies to the use of all forms of social media, including all social networking sites, internet postings and blogs. It applies to use of social media for business purposes as well as personal use that may affect our business in any way.

This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

#### **Who does this policy apply to?**

This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns.

#### **Who is responsible for this policy?**

Our Principal has overall responsibility for the effective operation of this policy. The Principal has delegated responsibility for overseeing its implementation to the HR Manager and the Designated Safeguarding Lead. Questions about the content of this policy or suggestions for change should be reported to the HR Manager.

Any questions you may have about the day-to-day application of this policy (including reporting the misuse of social media) should be referred to your line manager.

This policy is reviewed regularly.

#### **Compliance with related policies and agreements**

Social media should never be used in a way that breaches any of our other policies. If an internet post would breach any of our policies in another forum, it will also breach them in an online forum. For example, you are prohibited from using social media to:

- breach our IT and Communications Systems related policies;
- breach any obligations we may have with respect to the rules of relevant regulatory bodies;
- breach any obligations contained in those policies relating to confidentiality;
- breach our Disciplinary Procedure or Rules;
- harass or bully other staff in any way;
- unlawfully discriminate against other staff or third parties OR breach our Equal Opportunities Policy;
- breach our Data protection policy (for example, never disclose personal information about a colleague online); or
- breach any other laws or regulatory requirements.

Staff should never provide references for other individuals on social or professional networking sites, as such references, positive and negative, can be attributed to the organisation and create legal liability for both the author of the reference and the organisation.

Staff who breach any of the above policies will be subject to disciplinary action up to and including termination of employment.

#### **Personal use of social media**

Personal use of social media is never permitted during working hours or by means of our computers, networks and other IT resources and communications systems.

### **Prohibited use**

You must avoid making any social media communications that could damage our School interests or reputation, even indirectly.

You must not use social media to defame or disparage us, our staff or any third party; to harass, bully or unlawfully discriminate against staff or third parties; to make false or misleading statements; or to impersonate colleagues or third parties.

You must not express opinions on our behalf via social media, unless expressly authorised to do so by your manager. You may be required to undergo training in order to obtain such authorisation.

You must not post comments about sensitive school-related topics, such as our performance, or do anything to jeopardise our confidential information and intellectual property. You must not include our logos or other trademarks in any social media posting or in your profile on any social media.

You are not permitted to add student contacts made during the course of your employment to personal social networking accounts.

### **Business use of social media**

If you are contacted for comments about the organisation for publication anywhere, including in any social media outlet, direct the enquiry to the Principal and do not respond without written approval.

The use of social media for school purposes is subject to the remainder of this policy.

### **Guidelines for responsible use of social media**

You should make it clear in social media postings, or in your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal email address.

Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications which will be published on the internet for anyone to see.

If you disclose your affiliation with us on your profile or in any social media postings, you must state that your views do not represent those of your employer. You should also ensure that your profile and any content you post publicly are consistent with the professional image you present to pupils, carers and colleagues.

If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from posting it until you have discussed it with your line manager.

If you see social media content that disparages or reflects poorly on us, you should contact your line manager.

### **Monitoring**

We reserve the right to monitor, intercept and review, without further notice, staff activities using our IT resources and communications systems, including but not limited to social media postings and activities, for legitimate business purposes which include ascertaining and demonstrating that expected standards are being met by those using the systems and for the detection and investigation of unauthorised use of the systems (including where this is necessary to prevent or detect crime).

### **Recruitment**

In line with 'Keeping Children Safe in Education' guidelines, we use internet searches to perform due diligence on candidates in the course of recruitment. We will act in accordance with our data protection and equal opportunities obligations.

**Breach of this policy**

Breach of this policy may result in disciplinary action up to and including dismissal. Any member of staff suspected of committing a breach of this policy will be required to co-operate with our investigation.

You may be required to remove any social media content that we consider to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.