



The Gryphon Trust

Job Applicant Privacy Notice

POLICIES AND PROCEDURES PROFORMA

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| Author: | Miss Milligan |
| Persons/Committees etc consulted whilst document in draft: | Trust IT Manager |
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| By whom agreed: | Board of Directors |
| Copy obtainable from and/or distribution: | Trust IT Manager |

Amendments Summary:

| Amend. No. | Issued | Page | Subject |
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1.0 Aims

- 1.1 This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).
- 1.2 Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.
- 1.3 Successful candidates should refer to our privacy notice for staff for information about how their personal data is stored and collected.

2.0 Data Controller

- 2.1 The Gryphon Trust processes personal information relating to pupils, staff, parents, suppliers and visitors, and, therefore, is a data controller. The Arnewood School and Eaglewood School are both responsible for GDPR compliancy under the Gryphon Trust.
- 2.2 The Gryphon Trust is registered as a data controller with the Information Commissioner's Office and renews this registration annually, registration reference Z2600946.

3.0 Data Protection Officer (DPO)

- 3.1 The data protection officer for the Gryphon Trust is:
Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0203 326 9174
Lead Contact: Craig Stilwell

4.0 Data Subject

- 4.1 The Data Subject is the person whose personal data is held or processed e.g. a student. Data Subjects have rights under the GDPR:
 1. The right to be informed
 2. The right of access
 3. The right to rectification
 4. The right to erase
 5. The right to restrict processing
 6. The right to data portability
 7. The right to object
 8. Rights in relation to automated decision making and profiling

5.0 Job Applicant Personal Data

- 5.1 We may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process: -
 - Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
 - Emergency contact information such as names, relationship, phone numbers and email addresses;

- Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;
- Details of your employment history including job titles, salary and working hours;
- Information regarding your criminal record as required by law to enable you to work with children;
- Details of your referees and references;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs.

5.2 We may also collect information after the shortlisting and interview stage in order to make a final decision on where to recruit, including criminal record information, references, information regarding qualifications. We may also ask about details of any conduct, grievance or performance issues, appraisals, time and attendance from references provided by you.

6.0 Special Category Data

6.1 We also collect ‘Special Category Data’ for job applicants, including;

- Race or ethnic Origin
- Sex and sexual orientation
- Religious or similar beliefs

6.2 This type of personal data is classified as ‘Special Category Data’, which the GDPR says is more sensitive and therefore requires more protection.

6.3 The lawful basis for processing this special category data is ‘consent’. This means the staff member has opted in to give permission to share this data with the Trust.

6.4 The condition for processing the special category data, listed above, under Article 9 of the GDPR is ‘*the data subject has given explicit consent to the processing of those personal data for one or more specified purposes*’.

6.5 Job applicants have the right to withdraw this consent at any time by informing the school in writing of this withdrawal of consent. The Gryphon Trust will then confirm the personal data has been removed within 30 days and will ensure to inform any applicable third parties without undue delay.

7.0 How We Collect This Data

7.1 We may collect this information from you, your referees, your education provider, relevant professional bodies the Home Office and from the DBS

8.0 How We Use Your Information

8.1 We will only use your personal information when the law allows us to. Most commonly, we will use your information in the following circumstances:

- Where we need to take steps to enter into a contract with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- Where you have provided your consent for us to process your personal data.

8.2 Generally, the purpose of us collecting your data is to enable us to facilitate safe recruitment and determine suitability for the role. We also collect data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required.

- 8.3 If you fail to provide certain information when requested, we may not be able to take the steps to enter into a contract with you, or we may be prevented from complying with our legal obligations.
- 8.4 We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

9.0 How We Use Particularly Sensitive Information

- 9.1 Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:
- In limited circumstances, with your explicit written consent;
 - Where we need to carry out our legal obligations in line with our data protection policy;
 - Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
 - Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent.

10.0 Criminal Convictions

- 10.1 We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so.
- 10.2 Where appropriate we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of working for us.

11.0 Sharing Data

- 11.1 We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.
- 11.2 These include the following: -
- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
 - Referees;
 - Other schools;
 - DBS; and
 - Recruitment and supply agencies.
 - Hampshire Local Authority or The Gryphon Trust in order to meet our legal obligations for sharing data with it;
 - Other schools within The Gryphon Trust
- 11.3 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 anonymized but this may not always be possible. The recipients 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.

12.0 Data Retention

- 12.1 Except as otherwise permitted or required by applicable law or regulation, the School only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.
- 12.2 Once we have finished recruitment for the role you applied for, we will then store your information in accordance with The Gryphon Trust Retention Policy.

13.0 Requesting Access to Your Data

- 13.1 Under data protection legislation, staff have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to an employee or educational record, contact:
The Data Protection Officer,
Judicium Consulting Limited
Address: 72 Cannon Street, London, EC4N 6AE
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0203 326 9174
Lead Contact: Craig Stilwell
- 13.2 This request for data is called a 'Subject Access Request (SAR)'. Once this is received in writing who you would like the information on, a contact number and email address, and details of the data you would like to see, the Data Protection Officer will confirm receipt of the request and where possible and applicable, will issue the requested data within 30 days. Please view The Gryphon Trust Data Protection Policy for any further details on this process.
- 13.3 You can also request this through the Judicium form online here:
[https://www.jedu.co.uk/secure/informationrequest/\\$2y\\$10\\$QVGJLOaRsiJIC2kHJP8kIu7YwE7bCEaOpRJY1t17sIqTuFiMC0f2S8](https://www.jedu.co.uk/secure/informationrequest/$2y$10$QVGJLOaRsiJIC2kHJP8kIu7YwE7bCEaOpRJY1t17sIqTuFiMC0f2S8)
- 13.4 Or for any Freedom of Information requests, please use this form:
[https://www.jedu.co.uk/secure/informationrequest/\\$2y\\$10\\$grvJu1Fcxsbts4ZMS3y3COrLHRvNMwT5mxEIk7g8IXhFE43HBp](https://www.jedu.co.uk/secure/informationrequest/$2y$10$grvJu1Fcxsbts4ZMS3y3COrLHRvNMwT5mxEIk7g8IXhFE43HBp)
- 13.5 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
- 13.6 If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.
- 13.7 Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns>

14.0 Request to Change or Erase Data

- 14.1 The GDPR has introduced a right for individuals to have personal data erased. This is also known as 'the right to be forgotten'. This right is not absolute and only applies in certain circumstances. Most of the data that The Gryphon Trust collects is due to a public task we perform and therefore a lot of data is unable to be erased, but individuals can make a request for erasure verbally or in writing. The Gryphon Trust will respond to this within 28 days.

14.2 If the Gryphon Trust have data that is incorrect on a data subject, we encourage data subjects to ensure any data they provide us is kept up to date. Once data is collected, students and parents/carers then have the right to change this data with The Gryphon Trust either in person or in writing. Links are also available on the corresponding schools' website.

15.0 Contact

15.1 If you would like to discuss anything in this privacy notice, please contact the Gryphon Trust Data Protection Officer
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Email: dataservices@judicium.com
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