



St Mary's Music School

EDINBURGH

Employee Candidate Privacy Notice

What is the purpose of this document?

St Mary's Music School Trust Ltd, a company limited by guarantee, registered in Scotland number SC054504 and whose registered office is at Coates Hall, 25 Grosvenor Crescent, Edinburgh (the "School") is a "data controller". This means that we are responsible for deciding how we hold and use personal data 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 data that must be provided under data protection law in the UK.

Data protection principles

We take your privacy very seriously. When we collect data about or from you, we will at all times 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 data you have provided to us in a curriculum vitae or covering letter.
- The data you have provided on our employee application form, including name, title, address, telephone number, personal email address, employment history, qualifications, membership of regulatory bodies and any sensitive data as noted below.
- Data collected through your responses to our technical assessments where we ask you to complete these.
- Any data you provide to us during an interview.

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

- Data about your health, including any medical condition, health and sickness records.
- Data about criminal convictions and offences.

How is your personal information collected?

We collect personal information about candidates from the following sources:

- You, the candidate.
- Disclosure Scotland PVG Scheme Membership data in respect of criminal convictions (successful candidates only).
- Occupational Medical Services provider in respect of your pre-employment health check (successful senior appointment candidates only).
- Your General Practitioner in respect of your pre-employment health screening questionnaire (successful boarding house candidates only).
- Your named referees, from whom we request the following categories of data:
 - General suitability for the post, including details of honesty and character.
 - Health record.
 - Notes of any causes for concern during previous employment.
 - Confirmation that the candidate is a fit person to work with children and young people.
- The following data from third parties is collected for successful candidates only.
 - Registration with the General Teaching Council for Scotland.
 - Registration with the Scottish Social Services Council.
 - Confirmation of Residence Permit conditions from the UK Border Agency.

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 role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our recruitment processes.
- Comply with legal or regulatory requirements.

We require a valid legal basis to collect and use your personal data.

- It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.
- We also need to process your personal data to decide whether to enter into a contract of employment with you.

Having received your employee application form, covering letter and/or CV, we will then process that data 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. If we decide to call you for an interview, we will then take up references (unless requested not to do so on the employee application form) and use the information you provide to us at the interview, including any technical assessments undertaken, to decide whether to offer you the role.

If we decide to offer you the role, we will then carry out a Disclosure Scotland PVG check and request any references not previously requested 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 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 data 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 an assessment test or interview.

Data about criminal convictions

We envisage that we will process data about criminal convictions.

We will collect data about your criminal convictions history if we would like to offer you the role (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 Scottish Social Services Council and the General Teaching Council for Scotland to carry out criminal record checks for those carrying out boarding house and/or academic teaching roles.
- This position is exempt from the provisions of the Rehabilitation of Offenders Act 1974 under section 4(2) of said 1974 Act. Candidates are therefore required to disclose any unspent convictions or cautions and any spent convictions for offences included in Schedule A1, 'Offences which must always be disclosed' of the Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Amendment Order 2015 No.2.
- Candidates are not required to disclose spent convictions for offences included in Schedule B1, 'Offences which are to be disclosed subject to rules' until such time as they are included in a higher level disclosure issued by Disclosure Scotland. These lists of offences are available on the Disclosure Scotland website or at www.legislation.gov.uk.
- Roles at St Mary's Music School are eligible for PVG Scheme Membership from Disclosure Scotland.

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 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 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 School Bursar.

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 data for a period of 6 months after we have communicated to you our decision about whether to appoint you to the role. We retain your personal data for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates 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 data in accordance with our data retention policy.

If we wish to retain your personal data on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal data for a fixed period on that basis.

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.
- **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 School Bursar in writing.

Right to withdraw consent

When you applied for this role, you provided consent to us processing your personal information for the purposes of the admissions exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the School Bursar. 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.

Privacy Officer

We have appointed a Privacy Officer 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 Privacy Officer. 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.

Privacy Officer
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25 Grosvenor Crescent
Edinburgh
EH12 5EL

Email: dataprotection@st-marys-music-school.co.uk

or

Telephone: 0131 538 7766