

Privacy Notice

Company Name:	Sussex Teachers Ltd ('the Company')
Company Contact Details:	Data Protection Lead mike@sussexteachers.co.uk Data Protection Officer office@sussexteachers.co.uk
Topic:	Data protection
Date:	25 May 2018
Document	Privacy Notice (when personal data is obtained from the data subject)

The Company is a recruitment business which provides work-finding services to its clients and work-seekers. The Company must process personal data, including sensitive personal data, so that it can provide these services – in doing so, the Company acts as a data controller.

You may give your personal details to the Company directly, such as on an application or registration form or via our website, or we may collect them from another source such as a job board. The Company must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you we will only use your personal data in accordance with the terms of the following statement.

1. Collection and use of personal data

a. Purpose of processing and legal basis

The Company will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with work-finding services and related marketing. The legal bases we rely upon to offer these services to you are:

- Consent
- Legitimate interest
- Legal obligation
- Contractual obligation

b. Consent

The Company will seek your specific consent in order to process data relating to your health and any criminal convictions.

c. Legitimate interest

The Company's legitimate interest in processing your personal data is providing work-finding services to both candidates and clients as part of our business. The Company processes personal data in order to be able to provide these services. The Company needs to check the identity of candidates, their right to work, qualifications, and carry out the vetting checks required by law and the Department for Education¹ as well as processing pay and managing entitlement to certain statutory rights. It is in the legitimate interests of all parties involved – the Company, the candidate and the client – that the Company can process personal data.

d. Recipient/s of data

The Company will process your personal data and/or sensitive personal data with the following recipients:

1. Client schools and nurseries with whom we may share:
 - information required for the single central records (including vetting checks);
 - references;
 - information relating to health if relevant to the role and in order that the school can consider whether any reasonable adjustments are necessary in order that you can work in the role.²;
 - criminal records (unfiltered convictions, cautions, reprimands and warnings – both spent and unspent);
 - safeguarding information including investigations and substantiated safeguarding allegations; and
 - other personal data reasonably required by clients, or relevant to the role.
2. Third parties which provide, host and support our IT systems and payroll (subject to appropriate security measures).
3. Third parties in order to carry out the necessary vetting checks including:
 - Former employers for the purposes of applying for references.
 - GBG Group Plc for the purposes of carrying out DBS checks.
 - The Disclosure and Barring Service for the purposes of performing criminal records update checks.
 - Teaching Regulation Agency in order to perform teacher status checks.
 - Health professional for the purposes of assessing your physical and mental fitness to work in a school.
 - Teachers' Pensions' Online Barred List Checker – Barred list.
 - UK Visas and Immigration and the Home Office for checking right to work status.
 - Overseas criminal records agencies (if you have not been resident in the UK).

¹ Refer to Department for Education statutory guidance : Keeping Children Safe in Education

² Equality Act 2010

e. Statutory/contractual requirement

Certain personal data is required by law, and is a requirement of our contracts with our clients, and is a requirement necessary to enter into a contract with you for the provision of our services.

We are required by law to process certain of your personal data in order to be able to offer you work in schools and/or nurseries. For example:

We are under a legal obligation to carry out pre-engagement vetting checks³ including:

- verifying your physical and mental fitness to teach and work with children⁴;
- an enhanced DBS with barred list check, in order to verify your suitability to work in regulated activity with children⁵; and
- verifying your right to work.

In order to provide you with work- finding services, we are also required to process your data pursuant to the Conduct of Employment Businesses and Employment Agencies Regulations 2003 (as amended).

You are obliged to provide the personal data and if you do not the consequence of failure to provide the data is that we will be unable to complete your registration and provide work-finding services to you.

f. Overseas Transfers

The Company may transfer only the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information.

2. Data retention

The Company will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

The Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.

³ Refer to Department for Education statutory guidance : Keeping Children Safe in Education

⁴ Education (Health Standards) (England) Regulations 2003

⁵ Safeguarding Vulnerable Groups Act 2006

We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation. Please see our data retention policy.

3. Your rights

Please be aware that you have the following data protection rights:

- The right to be informed about the personal data the Company processes on you;
- The right of access to the personal data the Company processes on you;
- The right to rectification of your personal data;
- The right to erasure of your personal data in certain circumstances;
- The right to restrict processing of your personal data;
- The right to data portability in certain circumstances;
- The right to object to the processing of your personal data that was based on a public or legitimate interest;
- The right not to be subjected to automated decision making and profiling; and
- The right to withdraw consent at any time.

Where you have consented to the Company processing your sensitive personal data you have the right to withdraw that consent at any time by contacting:

Data Protection Lead

Michael Bradbury
mike@sussexteachers.co.uk

Data Protection Officer

Louise Bradbury
office@sussexteachers.co.uk

4. Complaints or queries

If you wish to complain about this privacy notice or any of the procedures set out, please contact:

Data Protection Lead

Michael Bradbury
mike@sussexteachers.co.uk

Data Protection Officer

Louise Bradbury
office@sussexteachers.co.uk

You also have the right to raise concerns with Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns/>, or any other relevant supervisory authority should your personal data be processed outside of the UK, if you believe that your data protection rights have not been adhered to.