

GENERAL TEACHING COUNCIL FOR SCOTLAND

Privacy Notice for Prospective Employees

This is the Privacy Notice (“Notice”) of the General Teaching Council for Scotland (“GTCS”)¹ for prospective employees and should be read in conjunction with the GTCS General Privacy Notice which is available on our website.

Our email address in respect of this Notice is dataprotection@gtc.org.uk. Any enquiries relating to the processing of personal data by GTCS, including matters arising from this Notice, should be addressed to our Data Protection Officer at:

General Teaching Council for Scotland
Clerwood House
96 Clerwood Road
Edinburgh
EH12 6UT

WHAT IS THE PURPOSE OF THIS PRIVACY NOTICE?

GTCS is committed to protecting the privacy and security of applicants through its recruitment process. This Notice describes how we collect and use personal data about you during and after the recruitment process in accordance with the General Data Protection Regulation (“GDPR”). This Notice applies to the personal data being processed by GTCS in respect of all those applying for employment with GTCS.

As a data controller, GTCS is responsible for making decisions about the means by which, and the purposes for which, we process your personal data. We are required under data protection legislation to notify you of the information contained in this Notice. It is important that you read this Notice, together with any other privacy notice we provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such information

This Notice does not form part of any contract of employment or other contract to provide services. We may update this Notice at any time.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this Notice at any time and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

¹ GTCS is a statutory body with its headquarters based at Clerwood House, 96 Clermiston Road, Edinburgh EH12 6UT. It is a data controller in terms of data protection law (under the EU General Data Protection Regulation and the Data Protection Act 2018).

HOW DOES GTCS COLLECT YOUR PERSONAL DATA?

We collect personal data about you through the recruitment process, either directly from you as a candidate or sometimes from an employment agency, referee or background check provider. We may sometimes collect additional information from third parties including former employers or other background check agencies.

PURPOSE FOR WHICH WE WILL USE YOUR PERSONAL DATA

We consider that we will need to process all the categories of data listed in the GTCS General Privacy Notice in relation to you, primarily to allow us to perform our recruitment process, to enable us to comply with legal obligations and in the public interest or in the exercise of official authority. In some cases, we may use your personal data to pursue legitimate interests of our own or those of third parties, but only in respect of functions which do not fall within our public authority functions. Purposes for which we expect to process your personal data are listed in the table below, together with the category of personal data, the lawful basis for processing and the time-period for which we will retain that data:

Purpose/Activity	Category of personal data (identity data, contact data, professional data, special category data)	Lawful basis for processing including basis for legitimate interest	Retention period or criteria to determine retention period
Making a decision about selection for a vacant position	Contact data; Professional data	Entering into a contract with you	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated Unsuccessful – retained electronically for 1 year. Hard copies destroyed after shortlisting/interview.
Making a decision about selection for a vacant position. Obtain contact details for use during selection processes and prior to/during employment where applicable	Identity data; Contact data; Professional data; Special category personal data – criminal convictions and offences	Entering into a contract with you	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated. Information for unsuccessful applicants is retained for 1 year. Hard copies are destroyed after

			shortlisting/interview.
Making reasonable adjustments in respect of a disability	Special category personal data – mental or physical health	Entering into a contract with you	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated. Information for unsuccessful applicants is retained for 1 year.
Check applicant legally allowed to work in the UK.	Professional data; Image data, Special Category personal data - biometric	Entering into a contract with you Necessary to comply with legal obligations	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated. Information for unsuccessful applicants is retained for 1 year.
Check suitability for employment	Professional data; Special category personal data – health (number of days absent from previous roles); criminal convictions and offences.	Entering into a contract with you Necessary to comply with legal obligations	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated. If unsuccessful, destroyed immediately when recruitment process concludes.
Determining the terms on which employee works for us	Identity data; Contact data; Professional data	Entering into a contract with you and performance of a contract with you.	Successful applicants – retained electronically and all information will be retained for 7 years after the date on which employment with GTCS is terminated. Information for unsuccessful applicants or who do

			not take up an offer of employment retained for 1 year.
Equal opportunities monitoring and reporting	Identity data Professional data Special category data – race or national or ethnic origin; religious; philosophical or moral beliefs, or your sexual life or sexual orientation	To comply with a legal obligation. Performance of task in the public interest of exercise of official authority.	Information from original documentation entered onto a spreadsheet where information is anonymised. Original documentation destroyed on completion of interview process. Statistical information on spreadsheet held for 2 years.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

If you fail to provide personal data

If you fail to provide certain information when requested, we may not be able to include you in the recruitment process or contact you to discuss an invitation to interview.

Change of purpose

We will only use your personal data 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. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

INFORMATION ABOUT CRIMINAL CONVICTIONS

GTCS has a responsibility to undertake certain checks during the recruitment process. As part of this, you will be required to disclose whether or not you have any unspent criminal convictions. This information allows the GTCS Human Resources team to assess the relevance of any disclosed unspent criminal convictions in terms of your suitability for the role that you are applying for.

All criminal conviction information relating to unsuccessful applicants will be retained for one year and will be destroyed after one year. Information for individuals who are successful and take up employment with GTCS will be retained for 7 years after the date on which employment with GTCS is terminated.

DISCLOSURE

You may be asked to provide information to allow the appropriate level of disclosure (i.e. background and vetting check) required for the post.

REGULATORY BODY PROCEEDINGS

You will be asked to disclose if any disciplinary proceedings have been taken against you (or if any action is pending) by any professional or regulatory body that you are, or have been, registered with.

In respect of unsuccessful applicants and/or those who do not take up employment with the GTCS, all information relating to Regulatory Body Proceedings will be destroyed after one year.

In respect of successful applicants and those who take up employment with the GTCS, all information will be retained for 7 years after the date on which employment with GTCS is terminated.