

# PRIVACY NOTICE : JOB APPLICANTS

**Date of issue:** 01/06/2021

## 1. Introduction

- 1.1 When applying for a position in The Two Counties Trust, as an organisation we are the Data Controller. That means we have a statutory responsibility to explain how we collect, manage, use and store information about applicants.
- 1.2 You have a right to be informed how our Trust uses any personal data that we collect about you. This privacy notice, and our Data Protection Policy, explains our data usage when you apply for a job with us.

## 2. What information do we collect?

- 2.1 Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:
  - Name, address and contact details, including email address and telephone number
  - Copies of right to work documentation
  - References
  - Evidence of qualifications
  - Information about your current role, level of remuneration, including benefit entitlements
  - Employment records, including work history, job titles, training records and professional memberships
- 2.2 We may also request and collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:
  - Information about race, ethnicity, religious beliefs, sexual orientation and political opinions
  - Whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process
  - Photographs and CCTV images captured in school
- 2.3 We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.
- 2.4 We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.
- 2.5 We also have statutory obligations that are set out in 'Keeping Children Safe in Education' and other guidance and regulations.

## 3. Why we use this data

- 3.1 The Trust needs to process data to take steps prior to entering into a contract with you.
- 3.2 The Trust needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.
- 3.3 The Trust has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the Trust to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Trust may also need to process data from job applicants to respond to and defend against legal claims.
- 3.4 The Trust may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.
- 3.5 Where the Trust processes other special categories of data, such as information about ethnic origin, sexual orientation, disability or religion or belief, this is for equal opportunities monitoring purposes.
- 3.6 The Trust is obliged to seek information about criminal convictions and offences. Where the Trust seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.
- 3.7 The Trust will not use your application data for any purpose other than the recruitment exercise for which you have applied.

## 4. How use the data

- 4.1 Your information may be shared within the Trust for the purposes of the recruitment exercise. This includes members of HR, shortlisting and interview panel members involved in the recruitment process (this may include external panel members). This also includes IT staff if access to the data is necessary for the performance of their roles.
- 4.2 The Trust will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. As well as circulating your application and related materials to



the appropriate staff at our schools, we will share your personal information for the above purposes as relevant and necessary with:

- Your referees.
- The Disclosure & Barring Service (DBS) in order to administer relevant recruitment checks and procedures.
- UK Visas & Immigration (UKVI) in order to administer relevant recruitment checks and procedures.
- Where relevant and as required for some posts, the Teacher Regulation Authority

4.3 Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you would go about withdrawing consent if you wish to do so.

## 5. Automated Decision Making and Profiling

5.1 We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## 6. Collecting data

6.1 As a Trust, we have a legal obligation to safeguard and protect our pupils, staff, volunteers and visitors. We collect the data for specific purposes.

## 7. What if you do not provide personal data?

7.1 You are under no statutory or contractual obligation to provide data to the Trust during the recruitment process. However, if you do not provide the information, the Trust may not be able to process your application properly, or at all.

7.2 Whenever we seek to collect information from you, we make it clear whether you must provide this information for us to process your application (and if so, what the possible consequences are of not complying), or whether you have a choice.

7.3 Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

## 8. How we store data

8.1 The Trust takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

8.2 We will dispose of your personal data securely when we no longer need it. We keep applicant data for a period of up to 6 months if an applicant is not successful.

8.3 Successful applicants who secure a position then come within the employee / workforce provisions.

## 9. Transferring data internationally

9.1 We do not share personal information internationally.

## 10. Your rights

10.1 You have a right to access and obtain a copy of your data on request;

You can:

- require us to change incorrect or incomplete data;
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where the Trust is relying on its legitimate interests as the legal grounds for processing.

10.2 If you would like to exercise any of these rights, please contact the Trust. If you believe that the Trust has not complied with your data protection rights, you can complain to the Information Commissioner.



## 11. Complaints

- 11.1 We take any complaints about our collection and use of personal information seriously.
- 11.2 Our complaints policy deals with the different stages of any complaint, and how this is managed within the Trust.
- 11.3 You can also contact our Data Protection Officer or contact the Information Commissioner's Office:

Report a concern online at <https://ico.org.uk/make-a-complaint/>

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 12. Contact us

- 12.1 If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer. Our Data Protection Officer is: John Walker of J.A.Walker, Solicitor - [info@jawalker.co.uk](mailto:info@jawalker.co.uk)
- 12.2 However, our data protection lead has day-to-day responsibility for data protection issues in each of our academies.
- 12.3 If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact us via <http://www.twocountiestrust.co.uk/contact-us/>

## 13. General Data Protection Regulation

- 13.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

