Heritage MAT

Privacy Notice for Job Applicants

Under UK data protection law, individuals have a right to be informed about how the academy trust uses any personal data. The academy trust complies with these requirements by providing privacy notices to inform individuals about how their personal data will be processed.

This privacy notice explains how the academy trust collects, stores, uses and deletes personal data about anyone applying for a job at the academy trust.

1 What this Privacy Notice is for

Heritage MAT collect, hold, use and share information about people applying for jobs. This is known as "personal data" and you have rights around that data, including knowing how and why we are processing the data. "Processing" data means collecting, storing, using, sharing or disposing of it.

For the purposes of Data Protection legislation Heritage MAT is a data controller and is registered as such with the Information Commissioner's Office (Z3061884). This means the academy trust determines the purposes for which, and the way any personal data relating to the academy trust's job applicants is to be processed.

In some cases, personal data processing will be outsourced to a third-party; however, this will only be done with your consent, unless the law or our policies allow the academy trust to share your data. Where the academy trust outsources data to a third-party processor, the same data protection standards that the academy trust upholds are imposed on the processor.

2 The types of job applicants' information that we process

The types of job applicants' information that the academy trust collects, holds and shares include but are not restricted to the following:

- Personal information (such as name and address).
- Copies of right to work documentation.
- References.
- Evidence of qualifications.
- Employment records, including work history, job titles, training records and professional memberships.
- Publicly available information about you, such as your online presence.

2.1 Special category data (sensitive information)

Some of the information that we collect is more sensitive or can be classified as special category data, this may include:

- Characteristics information (such as gender and ethnic group).
- Photographs and CCTV images.
- Information about disability and access requirements.

We may also collect, use and store information about criminal convictions, offences and prohibitions. 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.

3 Why does the academy trust collect and use your information?

The personal data collected is essential, in order for the academy trust to fulfil its official functions and meet legal requirements. We use job applicants' data to:

- Process your application and correspond with you about it.
- Assess whether you have the required skills, experience, qualifications and training.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- Enable equalities monitoring.
- Ensure that appropriate access arrangements can be provided for candidates that require them.

3.1 The lawful basis for collection and use of personal data

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing job applicants' information are:

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

3.2 Special category personal data

The ways we collect and use special category volunteer information are lawful based on one of the following conditions:

- We have obtained your explicit consent to use your personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. Protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

3.3 Marketing purposes

Where you give us consent, we may send you marketing information by message or email, such as for promoting school events, campaigns or charities. Consent can be withdrawn at any time by contacting us.

3.4 Automated decision making & profiling

We do not use any of your personal information to make automated decisions about you, or to profile you If this changes in the future, privacy notices will be updated to explain both the processing and your right to object to it.

4 How we collect job applicants' information

You provide us with most of the personal data that we hold and use, for example in your written application, by completing any assessments and during any interviews.

Some of the personal data we hold and use about you is generated from internal sources during the recruitment process. For example, the person interviewing you may score your suitability for the role and we record the reasons for decisions made about whether or not your application is successful.

Some of the personal data about you that we hold and use may come from external sources. For example, where a recruitment agency provides us with a shortlist of candidates. If we shortlist you for interview, we will carry out pre-employment checks, such as taking up references from past employers or education providers and we may check your qualifications by contacting the awarding body. We may ask an occupational health professional to report to us on your fitness to do the job. We will seek a criminal record check from the DBS for successful candidates

5 How, where and for how long we store job applicants' information

We store job applicants' information securely on the academy trust's IT network and cloud. Secure storage is provided for paper-based records.

We only keep the information for the length of time we need it for, as shown in our records management policy.

We dispose of personal information securely when we no longer need it.

6 Sharing job applicants' information

The academy trust does not share information about you with anyone without consent unless the law and academy trust policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) the academy trust may share personal information about you with:

- The local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns.
- Suppliers and service providers – to enable them to provide the service we have contracted Them for, such as HR and recruitment support.
- Professional advisers and consultants.
- Employment and recruitment agencies.

6.1 International Transfers

Your personal information may be transferred outside the UK and the European Economic Area ('EEA'), including to the United States. Where information is transferred outside the UK or EEA to a country that is not designated as "adequate" in relation to data protection law, the information is adequately protected by the use of International Data Transfer Agreements and security measures, and other appropriate safeguards.

6.2 Freedom of Information Act and Environmental Information Regulations 2004

As a public body, our academy trust is subject to requests made under the above legislation. However, we will never disclose personal data in our responses to these requests where to do so would contravene the principles of data protection.

7 Requesting access to personal data and other rights

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, please contact our Data Protection Officer via the academy trust office.

You also have the right to:

- Be informed about the collection and use of your personal data.
- Have inaccurate personal data changed if it is inaccurate or completed if it is incomplete.
- Ask us to delete your personal information, often known as the 'right to be forgotten'; however, this does not apply where, amongst other things, processing is necessary to comply with a legal obligation.
- Restrict the way we are using your information, although, as above this is a limited right.
- Object to the way we are using your information; though other than for marketing purposes, this is also limited as above.
- Where we rely on your consent to collect and use your data, you have the right to withdraw that consent. If you do change your mind, or you are unhappy with our use of your personal data, please let us know.
- You also have rights in relation to automated decision making and profiling, though these are not currently relevant as we do not carry out automated decision making or profiling.
- Finally, the right to complain about the way we use your personal information to the ICO, or to seek redress through the courts.

If you would like to request access to your data, or use any of the other rights listed above, please contact our Data Protection Officer via the academy trust office.

8 Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us.

Any complaints received should receive a formal acknowledgement within 30 days and a response without undue delay. If you are not happy with our response, then you can raise a complaint with the Information Commissioner using one of the methods below:

- 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

9 Contact us

Our Data Protection Officer is Data Tools for Schools Limited and they may be contacted via the academy trust office on the shared email dpo@heritagemat.uk or call 01484 489975

Our Data Protection Lead, Virginia Wood, has day to day responsibility for data protection issues within the trust. and they may be contacted via the academy trust office on the same shared email dpo@heritagemat.uk or call 01484 657541.

If you have any questions or concerns or would like more information about anything mentioned in this privacy notice, please contact the Data Protection Lead or our Data Protection Officer.