



APPLICANT PRIVACY NOTICE

How We Use Information for Job Applicants

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Introduction

Under the UK's General Data Protection Regulations (GDPR), a law in place to protect peoples information, everyone has a right to be told how South Essex Academy Trust (SEAT) which includes; Westwood Academy, Kent's Hill Infant Academy, Winter Gardens Academy, Bardfield Academy and Parkwood Academy uses personal data that we hold about them. From here on this privacy notice will refer to SEAT as the Trust, we or us. Our data protection registration number is Z2767785.

For the purposes of data protection law, the Trust is the 'data controller' so decides what information we need to process about you and our data protection officer is Natalie Fardon-Wood (see contact us below).

As part of any recruitment process, the Trust collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The personal data we hold

The Trust collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- your date of birth and national insurance number;
- details of your qualifications, skills, experience and education and employment history, including any breaks;
- information about your current level of remuneration, including benefit entitlements;
- any close personal relationships you have with those connected with our organisation;
- whether you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK, criminal history and any disqualification or sanction imposed by a regulatory body in relation to working with children/teaching

The Trust collects this information in a variety of ways. For example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The organisation will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, the Teacher Regulation Agency and information from criminal records checks.

If you are shortlisted, the organisation will view data about you, which is publicly available on-line for the purposes of identifying any concerns about suitability to work with children and to verify employment history. Information will not be retained after the recruitment decision is made.

Data will be stored in a range of different places, including on your application record, in HR management systems, on other IT systems (including email) and via cloud services in which resources are retrieved from the Internet through web-based tools and applications, as opposed to a direct connection to a server at the school.

Why we collect and use your information

We process data from job applicants in order to undertake the recruitment process and, for the successful applicant, to enter into a contract of employment. In particular, it is used to:

- contact you if and when necessary
- administer the application, shortlisting and selection process
- assess your suitability to work with children and young people
- inform the development of recruitment and retention policies
- defend legal claims
- help crime prevention, detection and public safety

We do not make recruitment decisions based on automated decision-making.

In some cases, 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 identity and eligibility to work in the UK before employment starts and to undertake checks in relation to qualifications, prohibitions, disqualifications and to comply with the Department for Education's statutory guidance "Keeping Children Safe in Education in relation to other pre-employment checks. It is our policy, in line with this statutory guidance to request references at the shortlisting stage, in advance of interview.

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 organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

The organisation processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment. Pre-employment health screening is also required by Regulations.

If your application is unsuccessful, the Trust will keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before keeping your data for this purpose and you are free to withdraw your consent at any time.

Who we share your information with

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, and IT staff if access to the data is necessary for the performance of their roles.

The Trust will share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

We will not transfer your data outside the UK.

How does the organisation protect data?

The organisation 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.

For how long does the organisation keep data?

If your application for employment is unsuccessful, the organisation will hold your data on file for 6 months after the end of the relevant recruitment process.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold by making a 'subject access request'. If you make a 'subject access request', and if we do hold information about you, we will within one month, but without undue delay;

- Provide a you with a relevant privacy notice which will;
 - Give you a description of the information held
 - Tell you why we are processing it and for how long we will keep it
 - Explain where we got it from if not from you
 - Tell you who it has been, or will be, shared with
 - Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form
- Tell you if your request is complicated and let you know that we need more time to complete it. In some circumstances the Trust is allowed a maximum of three months to provide you with the information

- Let you know if we decide not to give you your information because of valid reason under the Data Protection Act.

If you want to make a request please contact Mrs Natalie Fardon-Wood – Data Protection Officer via dpo@seacademytrust.co.uk

If we are unable to fulfil your request we will let you know within the one month and inform you of the reasons why.

Other rights over your data

Under data protection law, individuals have legal rights in certain circumstances regarding how their personal data is used and kept safe, including the right to:

- request rectification of your personal data if you believe the information we hold about you is inaccurate or incomplete;
- request erasure of your personal data where you believe the data is no longer necessary for the purposes of processing;
- object to the processing of your personal data in certain circumstances such as where we are processing it for our “legitimate interests” for direct marketing;
- ask to restrict the processing of your personal data in certain circumstances such as where you wish to suspend its processing whilst you establish its accuracy or the reason for processing has been clarified;
- withdraw your consent to the processing of your personal data, if we are processing it on the basis of your consent;
- request the transfer of your personal data (the right to data portability) to another organisation in a specific format that makes it easy for them to use;
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person). Currently, no decisions are made by the Trust through automated decision making (including profiling).
- Complain if you are not happy with the way in which the Trust is processing your personal information.

Some of these legal rights do not apply in all circumstances. We may be able to refuse or partially refuse requests in certain circumstances such as where a legal exemption applies. To exercise any of these rights please contact the Data Protection Officer via dpo@seacademytrust.co.uk

What if you do not provide personal data?

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, we may not be able to process your application properly or at all. If your application is successful, it will be a condition of any job offer that you provide evidence to enable us to process all required pre-employment checks.

Making a complaint

We take any complaints about our collection and use of personal information very seriously. If at any time you are not happy with how we are processing your personal information or have any other concern about our data processing, please raise this with the Trust by contacting our Data Protection Officer via dpo@seacademytrust.co.uk to express your concerns.

If you are not happy with the outcome you may raise a complaint with the Information Commissioner’s Office in one of the following ways;

- report a concern online at <https://ico.org.uk/concerns/>
- call 0303 123 1113

Last updated

We may need to update this privacy notice from time to time so we please come back and have a look at it every now and then. This one was last updated January 2024.