REDHILL ACADEMY TRUST

Equality and Achievement

PRIVACY NOTICE RECRUITMENT

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how The Redhill Academy Trust uses any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, use, and store the data relating to individuals who apply for a vacant position within the Redhill Academy Trust.

For the avoidance of doubt, where the word 'Trust' is used, this also refers to individual academies within it.

We, The Redhill Academy Trust, whose registered address is Redhill Road, Arnold, Nottingham, NG5 8GX, telephone (0115) 9261481, is the 'data controller' for the purposes of data protection law. The Data Protection Officer is Linda Hayes, who can be contacted via DPO@theredhillacademytrust.org.uk or on 07831280405.

Within each academy, the Operations Manager acts as the Data Protection Lead in their particular academy and has day-to-day responsibility for data protection issues.

Successful candidates should refer to the privacy notice for workforce published on the Trust and individual Academy website for information about how their personal data is collected, stored and used.

2. The personal data we hold

We process data relating to those applying to work within the Redhill Academy Trust. Personal data that we may collect, use, store, and share (when appropriate) about applicants includes, but is not restricted to:

- Name, address and contact details, including email address and telephone number
- Copies of right to work documentation.
- National Insurance number
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional Memberships
- Education history
- Notes taken during the selection process
- Information about your use of our information and communication systems, equipment and facilities (e.g.school computers)

We may also collect, use, store, and share (when appropriate) information about criminal convictions and offences and 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.

We may also collect, store, and use information about you that falls into "special categories" of more

sensitive personal data. This may include, but is not restricted to:

- Information about race, ethnicity, religious beliefs, sexual orientations, and political opinions
- Information about disability and access requirements.
- Photographs and CCTV images captured in school/on site

In accordance with the statutory guidance 'Keeping Children Safe in Education' (KCSIE), an online search will be conducted as part of due diligence on shortlisted candidates with the information retained for the successful candidate.

We will follow statutory obligations that are set out in 'Keeping Children Safe in Education' and other guidance and regulations.

3. Will personal data be sought from third parties?

Personal data is only initially sought from the data subject. No third parties will be contacted to obtain personal data pertaining to prospective members of staff without the data subject's consent.

Prospective employees' personal data may be obtained and processed from third parties where the law requires the Trust to do so e.g., medical records from a GP. The categories of data obtained and processed from third parties may include:

- Medical records
- References
- DBS – Criminal Records

Third parties who may be contacted for this personal data may include:

- Local GP
- Disclosure and Barring Service
- Previous and current employers
- National College of Teaching

4. Why we collect this data

The purpose of processing this data is to aid the recruitment process by:

- Enabling the Trust to establish relevant experience and qualifications.
- Facilitating safe recruitment, as part of our safeguarding obligations towards students / learners/volunteers/visitors and our employees.
- Enabling equality monitoring.
- Ensuring that appropriate access arrangements can be provided for candidates that require them.
- Make sure our information and communications systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely.

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application

successfully. For example, if we require references for this role and you fail to provide us with the relevant details, we will not be able to take your application further.

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

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

4.1 Use of your personal data in automated decision making and profiling

We do not currently process any job applicants' 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.

4.2 Use of your personal data for filtering and monitoring purposes.

Whilst you are in in any of our academies, we may monitor your use of our information and communication systems, equipment, and facilities (e.g. school computers). We do this so that we can:

Comply with health and safety and other legal obligations.
Comply with our policies (e.g. Child Protection Policy, IT Acceptable Use Policy) and our legal obligations.
Keep our network(s) and devices safe from unauthorized access and prevent malicious software from harming our network(s).

4.3 Use of your personal data for marking purposes

Where you have given consent to do so, we may send you marketing information by email or text, promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting the Trust or Academy.

5. Our lawful basis for using this data

We only collect and use personal information about applicants 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).
- We have legitimate interests in processing the data – for example, where we satisfy the Public Sector Equality Duty.

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 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.

5.1 Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- 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're 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're 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.

6. Collecting this data

While much of the information we collect from applicants is mandatory, there is some information which can be provided voluntarily.

Whenever we seek to collect information, we make it clear whether applicants must provide this information, or whether there is a choice.

Some potential consequences of not providing the required data may include:

- Failure to provide the Trust with ample proof of a right to work in the UK will prevent employment at the Redhill Academy Trust.
- Failure to complete a DBS application will prevent employment at the Redhill Academy Trust.
- Employees found to be working illegally could face prosecution by law enforcement officers.
- Candidates unwilling to provide two suitable referees maybe prevented from employment within the Redhill Academy Trust.
- Candidates applying for teaching posts, who are unable to provide a valid teacher number, or proof of QTS (Qualified Teacher Status) may be prevented from employment at the Redhill Academy Trust.
- Candidates unwilling to complete a medical questionnaire, could be, unwittingly, unsupported in the delivery of their duties.
- Candidates unwilling to disclose full employment history and time spent overseas in the last 10 years, may be prevented from employment at the Redhill Academy Trust.
- Candidates who are found to have not disclosed requested criminal convictions, may be prevented from employment within the Redhill Academy Trust.

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 and agencies.
- Police forces, courts or tribunals.

7. Who has access to data?

Your information may be shared internally within the Trust for the purposes of the recruitment process. This includes members of the HR team and members of the interview panel involved in the recruitment process, along with managers within in department linked to each vacancy.

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

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

- Our Local Authorities – to meet our legal obligations to share certain information, 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.

8. How is your information shared?

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

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

- Our local authority/local authorities, Derbyshire County Council – to meet our legal obligations to share certain information with it/them, 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, and filtering and monitoring
- Professional advisers and consultants
- Employment and recruitment agencies
- The Department for Education

We will only share your personal information with the above parties for the purposes of processing your application. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes in accordance with our instructions.

9. How long is your personal data retained?

Personal data is retained in line with the Redhill Academy Trust's Data Retention Policy.

Personal information may be retained for varying periods of time depending on the nature of the information. Data will only be retained for as long as necessary to fulfil the purposes for which it was processed and will not be retained indefinitely if there is no reason for that to be.

Once an applicant's data has serviced its purpose, it will be disposed of in line with the procedure outlined in the Trust policy.

If further information is required regarding the retention of data, please access the Data Management Policy and Retention Schedule published on the Trust and Academy websites.

10.How we store data

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 performance of their role and professional duties.

We will dispose of your personal data securely when we no longer **have a legal requirement to retain it, in line with the Records Management Policy and Retention Schedule, which is published on each Academy website**.

11.Your rights

11.1. How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding it, how we are processing it, and how long we will keep it for
- 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

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see contact details in section 1 above).

11.2. Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing

- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office if you feel we have not used your information the right way
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see contact details in section 1 above).

12.Complaints

We take all complaints about our collection and use of personal information very seriously.

If you think that the collection or use of personal information is unfair, misleading, or inappropriate, or have any other concern about our data processing procedures, please raise this with us in the first instance by contacting the Trust Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- report a concern online at Make a complaint | ICO
- call 0303 123 1113
- or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

13. How can you find out more information?

If you require further information about how we store and use your personal data, please visit our website www.redhillacademytrust.org; the Gov.UK website or download our GDPR (General Data Protection Regulation) Data Protection Policy and Records Management Policy.