



ST. MARY'S
ACADEMY TRUST

St. Mary's Academy Trust Privacy Notice for Job Applicants

Last Updated: 5th September 2023

Date to be Reviewed: 5th September 2024

1. Scope

- 1.1 Under data protection law, job applicants have a right to be informed about how we use any personal data that they hold about them. We comply with this right by providing 'privacy notices' to our job applicants where we are processing their personal data.
- 1.2 This privacy notice explains how we collect, store and use personal data about individuals applying for jobs at our Trust. This overarching privacy notice detailing how we process data generally may be found on our website.
- 1.3 We, St Mary's Academy Trust, are the 'data controller' for the purposes of data protection law.
- 1.4 Our Data Protection Officer is Jo Hudson, see Key Contact below.
- 1.5 Successful candidates should refer to our privacy notice for employees for information about how their personal data is collected, stored, and used.

2. Responsibilities

- 2.1 Our Data Protection Officer is responsible for ensuring that this notice is made available to data subjects prior to the Trust collecting and processing their personal data.
- 2.2 The manager is responsible for ensuring that this notice is drawn to the data subject's attention and where necessary, their consent to the processing of their data is secured.
- 2.3 The personal data collected is essential for the Trust and its schools to fulfil its official functions and meet legal requirements.

3. Key Contact

Data Protection Officer: Jo Hudson
Email: J.Hudson@smat.org.uk
Telephone: 01226 282721

4. The Personal Data We Hold

- 4.1 We process data relating to those applying to work for us. Personal data that we may collect, use, store, and share (when appropriate) about you includes, but is not restricted to:
 - Application forms
 - Contact details
 - 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

- Disclosure of convictions, cautions, reprimands, or final warnings that are not ‘protected’ as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) by S1 2013 1198 and the changes to filtering rules November 2020
 - Notes taken during the selection process
 - CCTV footage
 - Online search data
- 4.2 We may also collect, store, and use information about you that falls into “special categories” of more sensitive personal data. This includes information about (where applicable):
- Race, sex, age / date of birth, religious beliefs, and sexual orientation
 - Disability / impairment and access requirements
 - Data concerning health
- 4.3 As part of pre-employment checks, we will carry out online searches on short-listed candidates, including searches on LinkedIn, and your name, or variations of your name, followed by, convicted, crown court, magistrates court, and the name of the country you have lived in, that is if you have lived overseas.

5. Why We Use This Data

- 5.1 The purpose of processing this data is to aid the recruitment process by:
- Enabling us to establish relevant experience and qualifications and information provided to assist us to appoint the most sufficient candidate for the advertised position
 - Facilitating safe recruitment, as part of our safeguarding obligations towards pupils
 - Enabling equality monitoring
 - Ensuring that appropriate access arrangements can be provided for candidates that require them
 - Ensuring we can keep all our premises safe and secure, and taking measures to prevent and detect crime

6. Data Sharing

- 6.1 We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.
- 6.2 Where it is legally required or necessary (and it complies with data protection law), we may share personal information about you with:
- Our Local Authority or other statutory bodies – to meet our legal obligations to share certain information with it, such as shortlists of candidates for a Headteacher position
 - Internally with Governors if they were involved with an appointment
 - Out Data Protection Officer, e.g. in the event of a subject access request

7. Transferring Data Internationally

- 7.1 A small number of data processors used by us are based outside the UK and so their processing of your personal data will involve a transfer of data outside the UK. These processors are predominantly applications and information systems used by the schools to further pupil's learning. Some UK based processors may also use sub-processors (such as cloud service providers) which are located outside of the UK.
- 7.2 Whenever we transfer your personal data out of the UK, we will ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
- A) We will transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission or Secretary of State.
 - B) Where we use certain service providers who are outside of the adequacy regime, we will use standard data protection clauses approved by the Secretary of State which give personal data the same protection it has in UK.

8. Our Legal Basis for Using This Data

- 8.1 We only collect and use your personal data when the law allows us to. Most commonly we process it where we need to:
- Comply with a legal obligation
 - Carry out a task in the public interest
- 8.2 Less commonly we may also process your personal data in situations 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)
 - To pursue a legitimate interest
- 8.3 Where you have provided us with consent to use your data, you may withdraw this consent at any time by contacting the Business Centre manager - I.johnson@smat.org.uk
- 8.4 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.

9. Collecting this Information

- 9.1 While most of the information we collect from you is mandatory, there is some information that you can choose whether to provide to us.

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

10. How We Store this Data

10.1 Personal data we collect as part of the job application process is stored in line with our retention policy.

10.2 When it is no longer required, we will delete your information in accordance with our retention policy. If you would like a copy of the Trust's retention policy, please contact our Data Protection Officer.

11. Who Has Access to your Data

11.1 Your information may be shared internally within the company for the purposes of the recruitment process. This includes members of the HR team, interviewers involved in the recruitment process, and managers in areas with a vacancy. If you are the preferred candidate we will share your data with Occupational Health and the Disclosure and Barring Service in order to carry out mandatory checks prior to your appointment.

12. Your Rights Regarding Personal Data

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

12.2 Your rights as a data subject:

- Individuals have a right to make a subject access request to gain access to personal information that we hold about you
- The right to be informed: Individuals have the right to be informed about the collection and use of their personal data
- The right of access: Individuals have the right to access their personal data
- The right to rectification: Individuals have the right to have inaccurate personal data rectified, or completed if it is incomplete
- The right to erasure: Individuals have the right to have personal data erased (also known as the right to be forgotten)
- The right to restrict processing: Individuals have the right to request the restriction or suppression of their personal data in certain circumstances
- The right to data portability: This right allows individuals to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without affecting its usability

- The right to object: individuals have the right to object to the processing of their personal data in certain circumstances and an absolute right to stop their data being used for direct marketing
 - Rights in relation to automated decision making and profiling: Automated individual decision making (making a decision solely by automated means without any human involvement) and profiling (automated processing of personal data to evaluate certain things about an individual) are restricted
- 12.3 All the above requests will be forwarded on should there be a third party involved in the processing of your data.
- 12.4 If you make a subject access request, and if we do hold information about you, we will: -
- Give you a description of it
 - Tell you why we are holding and processing it, and how long it will be kept for
 - Explain where we got it from, if not you or your child
 - Tell you who it has been, or will be, shared with
 - Give you a copy of the information in an intelligible form
 - Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances
- 12.5 We have a separate Subject Access Request policy which provides more detailed information of how to make a request, please contact 01226 282721 to request a copy of this policy.
- 12.6 If you would like to make a request, please contact our Data Protection Officer – Jo Hudson on 01226 282721 who will oversee the collation of this information by the school.

13. Other Rights

- Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe including the right to:
 - Object to the use of personal data if it would cause, or is causing, damage or distress
 - Prevent it being used to send direct marketing
 - Object to decisions being taken by automated means (by a computer or machine rather than by a person) Have inaccurate personal data corrected, deleted, or destroyed and in certain circumstances restrict processing
 - Claim compensation for damages caused by a breach of the data protection regulations
 - In the limited circumstances where you have provided your consent to the collection, processing, and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. We will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law
- 13.1 To exercise any of these rights, please contact our Data Protection Officer, Jo Hudson on 01226 282721

14. Complaints

- 14.1 We take any complaints about our collection and use of personal information very seriously.
- 14.2 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 in the first instance.
- 14.3 To make a complaint, please contact our Data Protection Officer.
- 14.4 Alternatively, you can make a complaint to the Information Commissioner's Office:
- Report a concern online at <https://ico.org.uk/concerns/>
 - Call 0303 123 1113
 - Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF