

## **PRIVACY NOTICE FOR JOB APPLICANTS**

This privacy notice describes how *The Collegiate Trust* (hereafter referred to as *TCT* or *the Trust* and always meaning the Trust collectively and each school within the Trust) will collect and use personal information about you during and after your relationship with the Trust, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR

This notice applies to job applicants. Successful candidates should refer to the Trusts privacy notice for staff for information about how their personal data is stored and collected.

### **Who Collects this Information**

The Collegiate Trust is the “data controller.” This means that the Trust is responsible for deciding how it holds and uses personal information about you. The Trust is required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services and the Trust may update this notice at any time.

It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how the Trust process your information and the procedures taken to protect your personal data.

### **Data Protection Principles**

The Trust will comply with the data protection principles when gathering and using personal information, as set out in the data protection policy, which can be found on the Trust website [The Collegiate Trust | Exceptional Education for All \(tct-academies.org\)](https://www.tct-academies.org)

### **Categories of Information Collected, Processed, Held and Shared**

The Trust may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process: -

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;
- Emergency contact information such as names, relationship, phone numbers and email addresses;
- Information collected during the recruitment process that the Trust retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;
- Details of your employment history including job titles, salary and working hours;
- Information regarding your criminal record as required by law to enable you to work with children;
- Details of your referees and references;
- Details collected through any pre-employment checks including online searches for data;

The Trust may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions.
- Information about your health, including any medical condition and sickness records.
- Information about criminal convictions and offences.

After the shortlisting and interview stage, in order to make a final decision on recruitment, the Trust may collect further information including criminal record information, references, information regarding qualifications. The Trust may also ask about details of any conduct, grievance or performance issues, appraisals, time and attendance from references provided by you.

### **How Information is Collected**

The Trust may collect this information from you, your referees, your education provider, by searching online resources, from relevant professional bodies, the Home Office and from the DBS.

### **How Your Information is Used**

The Trust will only use your personal information when the law allows. Most commonly, the Trust will use your information in the following circumstances:

- Where the Trust need to take steps to enter into a contract with you;
- Where the Trust needs to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for the Trust's legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- Where you have provided consent for the Trust to process your personal data.

Generally, the purpose of collecting your data is to enable the Trust to facilitate safe recruitment and determine suitability for the role. The Trust also collects data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required.

If you fail to provide certain information when requested, the Trust may not be able to take the steps to enter into a contract with you, or the Trust may be prevented from complying with their legal obligations.

The Trust will only use your personal information for the purposes for which it is collected, unless the Trust reasonably considers that they need to use it for another reason and that reason is compatible with the original purpose.

### **How Particularly Sensitive Personal Information is Used**

Sensitive personal information (as defined under the UK GDPR as "special category data") require higher levels of protection and further justification for collecting, storing, and using this type of personal information. The Trust may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where the Trust needs to carry out its legal obligations in line with the data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to the pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent.

### **Criminal Convictions**

The Trust may only use information relating to criminal convictions where the law allows to do so. This will usually be where it is necessary to carry out the Trust's legal obligations. The Trust will only collect information about criminal convictions if it is appropriate given the nature of the role and where they are legally able to do so.

Where appropriate, the Trust will collect information about criminal convictions as part of the recruitment process or the Trust may be notified of such information directly by you in the course of the recruitment process.

## **Sharing Data**

The Trust may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where the Trust has another legitimate interest in doing so.

These include the following: -

- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
- Referees;
- Other schools;
- DBS; and
- Recruitment and supply agencies.
- The Local Authority in order to meet its legal obligations for sharing data with it.

The Trust may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; the Trust requires them to respect the security of your data and to treat it in accordance with the law.

The Trust may transfer your personal information outside the UK and the EU. If that happens, you can expect a similar degree of protection in respect of your personal information.

## **Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the Trust only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once the Trust has finished recruitment for the role you applied for, it will then store your information in accordance with the retention policy. This can be found on the Trust website.

## **Security**

The Trust has put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, the Trust limits access to your personal information to those employees, agents, contractors and other third parties who have a business need to know.

You can find further details of the security procedures within the data breach policy, which can be found on the Trust website.

It is important that the personal information the Trust holds about you is accurate and current. Please keep the Trust informed if your personal information changes during your working relationship with us.

## **Your Rights of Access, Correction, Erasure and Restriction**

Under certain circumstances, by law you have the right to:

- Access your personal information (commonly known as a “subject access request”). This allows you to receive a copy of the personal information that is held about you and to check that the Trust are lawfully processing it. You will not have to pay a fee to access your personal information. However, there may be a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, the Trust may refuse to comply with the request in such circumstances.
- Correction of the personal information held about you. This enables you to have any inaccurate information held about you corrected.

- Erasure of your personal information. You can ask us to delete or remove personal data if there is no good reason for the Trust to continue to processing it.
- Restriction of processing your personal information. You can ask the Trust to suspend processing personal information about you in certain circumstances, for example, if you want to establish its accuracy before processing it.
- To object to processing in certain circumstances (for example for direct marketing purposes).
- To transfer your personal information to another party.

If you want to exercise any of the above rights, please contact the HR team at [HR@tct-academies.org](mailto:HR@tct-academies.org)

The Trust may need to request specific information from you to help confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

### **Right to Withdraw Consent**

In the limited circumstances where you may 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. To withdraw your consent, please contact the HR team. Once the notification has been received, that you have withdrawn your consent, the Trust will no longer process your information for the purpose or purposes you originally agreed to, unless the Trust has another legitimate basis for doing so in law.

### **How to Raise a Concern**

The Trust hopes that the HR team can resolve any query you raise about the use of your information in the first instance.

The Governance and Compliance Manager oversees compliance for data protection and this privacy notice, with the support of Judicium who are the Trust's named Data Protection Officer (DPO). If you have any questions about how the Trust handles your personal information which cannot be resolved by the HR team, then you can contact the Governance and Compliance Manager via [DataProtection@tct-academies.org](mailto:DataProtection@tct-academies.org)

The Governance and Compliance Manager will work with the DPO to resolve your query.

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues: -

[Contact us | ICO](#)