

PRIVACY NOTICE

JOB APPLICANTS



Introduction

Under data protection law, individuals have a right to be informed about how the Active Learning Trust and its schools uses personal data that we hold about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

The Active Learning Trust (the Trust) are the data controller for the purposes of data protection law.

Our Data Protection Officer (DPO) is the ICT Service.

The personal data we hold:

We process data relating to those volunteering at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Full name and address
- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships

We may also collect, store and use information about you that falls into “Special Categories” of more sensitive personal data. This may include information about (where applicable)

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Disability and access requirements

Why we use this data:

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

- Enabling us to establish relevant experience and qualifications.
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.

- Enabling equalities monitoring.
- Ensuring that appropriate access arrangements can be provided for candidates that require them.

Our legal basis for using this data:

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

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained 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 go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

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 one of the following conditions for processing as set out in data protection law:

- We have obtained explicit consent to use the special category 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 a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by the data subject
- 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 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 one of the following conditions for processing as set out in data protection law. Conditions include:

- We have obtained consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by the data subject
- 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.

Collecting this information:

While most of the information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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.

How we store this data:

Personal data we collect as part of the job application process is stored in line with [school name] Data Protection Policy.

We will retain, and dispose of, the personal data of all unsuccessful job applicants in accordance with the Retention Schedule set out in the [Information and Record Management Society's Toolkit for Academies](#).

Data sharing:

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 data protection law) we may share personal information about you with:

- **Our Local Authority** – to meet our legal obligations to share certain information with it, such as details of Governors.
- **Suppliers and services providers** – to enable them to provide the service we have contracted them for, such as Governor/Trustee support.
- **Professional advisers and consultants** – to help us fulfil our public task.
- **Employment and recruitment agencies** - to meet our obligations to share information with them.

Your rights:

How to access the personal information we hold about you:

Individuals have a right to make a 'Subject Access Request' to gain access to personal information that we hold about them. 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 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

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 decision being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights please contact the Head of Data at the Active Learning Trust via dataprotection@activelearningtrust.org. These rights can be exercised by a Parent / Carer on behalf of a child on the same basis that they may make a Subject Access Request.

Complaints:

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

If you think 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.

To make a complaint, please contact the Head of Data at the Active Learning Trust via dataprotection@activelearningtrust.org.

You can also contact our Data Protection Officer:

The ICT Service

Email: dpo@theictservice.org.uk

Tel: 0300 300 0000 option 1

Address: Speke House, 17 Compass Point Business Park, Stocks Bridge Way, St Ives, Cambridgeshire, PE27 5JL

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

Online: <https://ico.org.uk/concerns/>

Tel: 0303 123 1113

Address: Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us:

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

Head of Data

Email: dataprotection@activelearningtrust.org

Tel: 01354 697485

Address: The Active Learning Trust, Cromwell Community College, Wenny Road, Chatteris, Cambridgeshire, PE16 6UU

Links to other Policies / Procedures

- Data Protection Policy

Document Control

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|--------------|---------|---|-----------|
| October 2023 | 1.0 | Initial version based on a template from the ICT Service and the DfE model privacy notice | C Everard |