



Privacy Notice for Applicants – How we use your information

Who are we?

Central England Academy Trust is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Central England Academy Trust is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration reference: ZA540893

You can contact the Central England Academy Trust as the Data Controller in writing at:
Oak Wood Schools, Morris Drive, Nuneaton, CV11 4QH or datacontroller@centralengland.co.uk.

What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about job applicants.

What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

What personal information do we process about applicants?

The categories of applicant information that we collect, hold and share include:

- The information you have provided on your application form, including name, title, address, telephone number, personal email address, date of birth, gender, teacher number, employment history, qualifications, professional memberships, subjects taught and other training and development activities.
- Any test results which arise as part of this application process.
- Information about your current level of remuneration, including benefit entitlements.
- Information provided to us by your referees.
- Information about you that we require when undertaking pre-employment checks. This includes information from your references, health declarations, identity documents, right to work documents, evidence of qualifications, current and previous addresses, safeguarding information including DBS and prohibition checks
- Information obtained through online searches (publicly available)
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

Where you have named referees on your application form, we shall assume that they have consented to

being approached by us.

We may also collect, hold and share the following “special categories” of more sensitive personal information:

- Equality monitoring data such as gender, age, ethnic group, religious belief, sexual orientation;
- Information about your health (where required for adjustments), any medical condition, health and sickness records
- Information about disability and access requirements
- Information about criminal records;
- Information about being barred from working with children or vulnerable people
- Any information you provide to us during an interview.
- Photographs and CCTV images captured in school/on site

How is your personal information collected?

We collect personal information about candidates from the following sources:

- You, the job applicant.
- Disclosure and Barring Service in respect of criminal convictions and information about being barred from working with children or vulnerable people (once a job offer has been made).
- From former employers (as part of the selection process and once a job offer has been made).
- Publicly available sources (for safeguarding checks)

For what purposes do we use applicants’ personal information?

We will use your personal information to:

- Assess your skills, qualifications and suitability for the role
- Carry out background checks, facilitating safer recruitment, as part of our safeguarding obligations towards our pupils (KCSiE compliance)
- Communicate with you about the process
- Enable equalities monitoring
- Ensure that appropriate access arrangements can be provided for candidates that require them
- Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely
- Keep records
- Comply with legal or regulatory requirements

We need to process your personal data in order to decide whether to enter into a contract of employment with you. It is ultimately in our legitimate interests to process personal data during the recruitment process and for keeping records of this process. Actively managing this data allows the recruitment process to be efficient and adequately confirm your suitability for the job.

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.

Information about your disability status may be used in order to consider where reasonable adjustments need to be made during the recruitment process

Information about your age, gender, race or national or ethnic origin, religious beliefs and sexual orientation will be used to ensure meaningful equal opportunity monitoring and reporting.

Collecting applicant information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are

required to provide certain information to us or if you have a choice in this.

What are the legal reasons for us to process your personal information?

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. Data Protection law sets out the lawful reasons we have to process your personal information and these are as follows:

1) To comply with the law

We collect and use general purpose applicant information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by UK law. We therefore have the right to process your personal information for such purposes without the need to obtain your consent.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

2) To protect someone's vital interests

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

3) With the consent of the individual to whom that information 'belongs'

Whilst much of the personal information is processed in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

4) To perform a public task

As an Academy Trust, we are required to carry out certain functions in the public interest and in the exercise of official authority vested in us as an educational establishment. This includes activities such as safeguarding, workforce planning, equality monitoring, statutory reporting, and providing information to regulatory bodies and government departments.

In some cases, we process applicant information to support these functions, including monitoring recruitment practices, producing workforce statistics, and meeting our obligations under education and equality legislation.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

5) To comply with a contract we have with you or because you have asked us to take specific steps before entering into a contract

We are able to process personal information in order to comply with any contract that we may enter into or have with you.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 5.

6) We have a legitimate interest

In certain circumstances, we may process personal information where it is necessary for our legitimate interests or the legitimate interests of a third party, provided those interests are not overridden by your rights and freedoms.

The Trust has legitimate interests in ensuring the security of its systems and premises, maintaining effective recruitment processes, preventing fraud, protecting Trust assets and information, and safeguarding pupils, staff and visitors.

Where we rely on legitimate interests as our lawful basis for processing, we will ensure that the processing is necessary, proportionate and balanced against your individual rights.

Details of the type of processing that we may undertake on this basis are set out in Table 6.

Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Necessary for carrying out obligations and exercising specific rights in relation to employment and social security and social protection law
- 3) Processing relates to personal data which is manifestly made public by the data subject
- 4) Necessary for establishing, exercising or defending legal claims
- 5) Necessary for reasons of substantial public interest
- 6) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 7) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of sensitive category personal information that we process is set out in the tables attached.

Who might we share your information with?

We may share applicant information with:

- Members of our staff who are involved in the recruitment process such as HR and managers who hold vacancies.
- Our Local Authorities to meet our legal obligations to share certain information, such as safeguarding concerns
- Disclosure and Barring Service
- 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, such as Occupational Health
- Employment and recruitment agencies
- The Department for Education
- Previous employers and referees

Appropriate security measures have been put in place to prevent personal information being accidentally lost, used or accessed in an unauthorised way.

We will not share your data with third parties, unless your application for employment is successful and an offer has been made. They will only process personal information on our instructions and are subject to a duty of confidentiality.

Procedures are also in place to deal with suspected data security breaches and you will be notified of a suspected breach where we have a legal obligation to do so.

What do we do with your information?

All personal information is held in a manner which is compliant with Data Protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so.

How long do we keep your information for?

In retaining personal information, Central England Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information.

A copy of those schedules can be located on the Trust website.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

What are your rights with respect of your personal information?

Under data protection law, applicants have the right to request access to the information about them that we hold. To make a request for your personal information or if you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact:

Our data protection lead at the Trust:

➤ Chief Operating Officer, Central England Academy Trust, datacontroller@centralengland.co.uk

or the **School Data Protection Officer (DPO) at Warwickshire Legal Services** via email at schooldpo@warwickshire.gov.uk or alternatively;

School Data Protection Officer
Warwickshire Legal Services
Warwickshire County Council
Shire Hall
Market Square
Warwick
CV34 4RL

****Please ensure you specify which school your request relates to.**

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations; and
- Subject to the complaints procedure below, you have the right to complain to the ICO

Data Protection Complaints

We are committed to handling your personal data in a way that is fair, transparent, and in accordance with the law. If you are unhappy with how we have handled your data, this process outlines how you can make a complaint.

How to Make a Complaint

If you have a concern about how your personal data has been handled, please contact our Trust Data Protection Lead (DPL) or our Data Protection Officer (DPO). This gives us the opportunity to investigate and resolve the matter as quickly as possible.

There is no set format for making a data protection complaint. However, submitting your complaint in writing using our data protection complaints form may help us to respond more promptly. Please direct your complaint to:

- Trust Data Protection Lead (DPL) email: datacontroller@centralengland.co.uk
- School/Trust Data Protection Officer (DPO): schooldpo@warwickshire.gov.uk

What to Expect from Us

We will acknowledge receipt of your complaint within 30 days. We will, without undue delay, take appropriate steps to respond to your complaint, including making appropriate enquires.

Throughout the process, we will:

- Keep you informed of our progress.
- Request any additional information we may need from you in a timely and proportionate manner.
- Provide you with a clear and comprehensive outcome of our investigation.

If You Remain Unhappy

If you are not satisfied with the outcome of your complaint, or if you feel we have not handled it appropriately, you have the right to complain to the Information Commissioner's Office (ICO). The ICO is the UK's independent regulator for data protection and information rights. For more information about the ICO and their complaints process, you can visit their website at ico.org.uk.

Review

The content of this Privacy Notice will be reviewed annually.

Data Tables:

The tables below set out the types of processing carried out by the school/Academy Trust and lawful reasons for doing so.

Table 1 – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category– additional lawful reason	with whom we share this information	Lawful reason for sharing
Identity verification for right to work compliance	Immigration Act 2006		Home Office	Legal Obligation
Safeguarding Checks to determine suitability to work with children	Keeping Children Safe in Education The Safeguarding Vulnerable Groups Act 2006		Disclosure Barring Service Teacher Regulation Agency	Legal Obligation
Single Central Record for safeguard record keeping	Keeping Children Safe in Education		Ofsted	Legal Obligation
Equality information for statutory reporting	Equality Act 2010	perform a public task	Department for Education	Legal Obligation
Online searches for safer recruitment	Keeping Children Safe in Education		Approved staff who are supporting recruitment	Legal Obligation

Table 2 – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Relevant legislation	Special Category– additional lawful reason	with whom we share this information	Lawful reason for sharing
Emergency medical information	Health and Safety at Work etc. Act 1974; Management of Health and Safety at Work Regulations 1999; Data Protection Act 2018; UK GDPR Article 6(1)(d) and Article 9(2)(c)	Necessary to protect vital interests of the data subject or another person where the data subject is physically incapable of giving consent	Emergency services	Vital Interest
Emergency Contact Details	Health and Safety at Work etc. Act 1974; Management of Health and Safety at Work	Necessary for contacting next of kin	Emergency services	Vital Interest

	Regulations 1999; Data Protection Act 2018; UK GDPR Article 6(1)(d) and Article 9(2)(c)			
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Table 3 - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’ - Please note, you have the right to withdraw your consent for us to process your data in this way at any time.

Information Type	Relevant legislation	Special Category– additional lawful reason	with whom we share this information	Lawful reason for sharing
Talent pool data for future vacancies	UK GDPR Article 6(1)(a); Data Protection Act 2018		Recruitment system	Consent

Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task. You have the right to object or restrict processing that is carried out for the purposes of Public Task – However, please note that this is not an absolute right and would only apply in certain circumstances.

Information Type	Relevant legislation	Special Category– additional lawful reason	with whom we share this information	Lawful reason for sharing
Workforce statistics for public reporting	Equality Act 2010; Education Act 1996; Apprenticeships, Skills, Children and Learning Act 2009; UK GDPR Article 6(1)(e); Education (Supply of Information about the School Workforce) (England) Regulations 2007	Necessary for reasons of substantial public interest (Equality of Opportunity Monitoring)	Local Authority – Confidential Recruitment Monitoring, Department for Education	Public Task & Statistical Purposes
Equality monitoring and diversity reporting	Equality Act 2010 (Public Sector Equality Duty)	Necessary for reasons of substantial public interest	Department for Education, Local Authority	Public Task & Statistical Purposes

Table 5 - Personal information we are required to process because of a contract we have with you or because you have asked us to take specific steps before entering into a contract

Information Type	Relevant legislation	Special Category– additional lawful reason	with whom we share this information	Lawful reason for sharing
Application forms, CVs to assess suitability	Employment Rights Act 1996; UK GDPR Article 6(1)(b)		Approved staff who are supporting recruitment	Contract

Interview notes for recruitment decisions	Employment Rights Act 1996; Equality Act 2010; UK GDPR Article 6(1)(b)		Approved staff who are supporting recruitment	Contract
References to verify history	Employment Rights Act 1996; UK GDPR Article 6(1)(b)		Approved staff who are supporting recruitment	Contract
Pre employment checks to verify suitability	Immigration, Asylum and Nationality Act 2006; Keeping Children Safe in Education; Safeguarding Vulnerable Groups Act 2006; UK GDPR Article 6(1)(b) and 6(1)(c)	To comply with the Law	Approved staff who are supporting recruitment	Contract
Medical questionnaires to determine fitness for role	Equality Act 2010; Health and Safety at Work etc. Act 1974; UK GDPR Article 9(2)(h)	Necessary for the purposes of occupational medicine, assessing the working capacity of the employee, medical diagnosis or the provision of health care (Article 9(2)(h))."	Occupational Health, Approved staff who are supporting recruitment	Contract
Communications to manage process	Employment Rights Act 1996; UK GDPR Article 6(1)(b)		Approved staff who are supporting recruitment	Contract

Table 6 - Personal information we process because we have a legitimate interest. Please note that the right to object will apply to *some* of this processing, please see the section above that refers to 'What are your rights with respect of your personal information?'

Information Type	Relevant legislation	Special Category–additional lawful reason	with whom we share this information	Lawful reason for sharing
Recruitment system logs for system management	UK GDPR Article 6(1)(f); Data Protection Act 2018; Network and Information Systems Regulations 2018 (where applicable)		IT providers	Legitimate interest
Information and communication system usage logs,	UK GDPR Article 6(1)(f); Data Protection Act 2018; Computer Misuse Act 1990; Network and		IT providers, filtering and monitoring	Legitimate interest

network activity and security monitoring	Information Systems Regulations 2018 (where applicable)		providers	
Fraud prevention and identity verification records	UK GDPR Article 6(1)(f); Data Protection Act 2018; Fraud Act 2006		IT providers	Legitimate interest
Images captured on our CCTV system for site safety	Data Protection Act 2018; UK GDPR Article 6(1)(f); Protection of Freedoms Act 2012 (Surveillance Camera Code of Practice)		This is not shared routinely	Legitimate interest