



DANES EDUCATIONAL TRUST

CANDIDATE PRIVACY NOTICE

RESPONSIBILITIES	
To determine and approve policy and ensure compliance	Danes Educational Trust Board
To implement, deliver and comply	CEO, Headteacher and School Board
APPROVAL DATE	18 March 2024
COMMITTEE	Danes Education Trust Board
DURATION	1 Year
REVIEW DATE	Spring 2025
SLT LEAD	Chief Operating Officer



DANES EDUCATIONAL TRUST

CANDIDATE PRIVACY NOTICE

WHAT IS THE PURPOSE OF THIS DOCUMENT?

Danes Educational Trust is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during the recruitment process, in accordance with the UK General Data Protection Regulation (UK GDPR).

Danes Educational Trust is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to all candidates, we may update this notice at any time.

It is important that you read this notice, so that you are aware of how and why we are using such information.

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

THE TYPE OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

During the recruitment process, we will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses, date of birth, gender, marital status, national insurance number, salary, annual leave, pension and benefits information, teacher reference number, location of employment or workplace



- Recruitment information (including copies of pre-vetting recruitment and identity checks (including, where appropriate, information about your employment history, Standard or Enhanced Disclosure and Barring Service Checks, Barred Lists Checks, prohibition checks /section 128 checks and disqualification checks, for example under the Childcare (Disqualification) Regulations 2009 and any further checks that are required if you have lived or worked outside the UK), your nationality and right to work documentation, references and other information included in a CV, application form or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Evidence of academic and professional qualifications
- Reference information
- Video recordings, that may have been taken as part of the recruitment process.

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

- Information about your race or ethnicity, religious beliefs
- Information about your health, including any medical condition, disability and access requirements
- Information about your criminal record

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, the Local Authority or other background check agencies.

HOW WE WILL USE INFORMATION ABOUT YOU

We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK before employment starts.



We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

Where we need to process other special categories of data, such as information about ethnic origin, sexual orientation, or disability, this is for equal opportunities monitoring purposes as permitted by the Data Protection Act 2018. This information will be collected and held on an anonymised basis.

We are obliged to seek information about criminal convictions and offences, to establish whether or not an individual has committed an unlawful act or been involved in dishonesty or other improper conduct.

Where it is necessary to collect and process any special categories of sensitive personal data, we will ensure it is handled with the utmost discretion and will limit access to the information to the individuals who require it for the purposes of which it is being requested / processed.

SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

We need all the categories of information in the list above primarily to allow us to perform our contract with you, to enable us to comply with legal obligations and/or where it is needed in the public interest or for official purposes. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Checking the award of Qualified Teacher Status, completion of teacher induction and prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions via the Teacher Services Online platform
- Making decisions about salary
- Assessing qualifications for a particular role
- Ascertaining your fitness to work
- Complying with health and safety obligations
- To maintain and promote equality in the workplace
- In appropriate circumstances to liaise with regulatory bodies, such as the Department for Education, the DBS and the Local Authority about your suitability to work in a school or in connection with other regulatory matters

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.



In addition, the Trust also uses CCTV cameras around school sites for security purposes and for the protection of staff and students. CCTV footage may be referred to during the course of disciplinary procedures (for staff or students) or investigate other issues. CCTV footage involving staff will only be processed to the extent that it is lawful to do so. Please see our Surveillance and CCTV policy and our Data Security policy for more details.

IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all. If your application is successful, it will be a condition of any job offer that you provide evidence of your right to work in the UK and satisfactory references.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

CHANGE OF PURPOSE

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will 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.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

“Special categories” of particularly sensitive personal information require us to ensure higher levels of data protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent
- Where we need to carry out our legal obligations and in line with our Data Protection including Biometrics policy
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our Data Protection including Biometrics policy
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public..



INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection including Biometrics policy.

We envisage that we will hold information about criminal convictions, for example, if information about criminal convictions comes to light as a result of our recruitment and Disclosure and Barring Service checks, or if information about criminal convictions comes to light during your employment with us.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you during this process.

DATA SECURITY

We have put in place measures to protect the security of your information. These measures are detailed in our Data Protection including Biometrics Policy and Data Security Policy.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

DATA RETENTION

HOW LONG WILL WE USE YOUR INFORMATION FOR?

We will not hold your personal data longer than we need it. If unsuccessful, generally we keep the majority of your information for the duration of the recruitment process plus 6 months thereafter.

If you are successful in your application, information collected as part of the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held are detailed within our Data Retention Guidelines.

Due to the way we ensure business continuity through back-ups, our data and personal information is never completely removed. The backup copies of data are not available for direct access and would only be accessed in the event of data loss or to restore information and access is restricted to essential personnel. As a result, you should not expect that all of your personally identifiable information will be completely removed from our systems in response to such a request.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment process with us.



YOUR RIGHTS IN CONNECTION WITH PERSONAL INFORMATION

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

- **Request access** to your personal information (data subject access request). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below)
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it
- **Request the transfer** of your personal information to another party

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact The Data Protection Officer in writing.

The legal timescales for the school / trust to respond to a Subject Access Request is one calendar month. As the school/trust has limited staff resources outside of term time, we encourage candidates to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Data Protection and Biometric Policy.

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another



appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

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 Data Protection Officer. Once we have received notification that you have withdrawn your consent, 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.

DATA PROTECTION OFFICER

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO, dpo@danessedtrust.org.uk. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact The Data Protection Officer dpo@danessedtrust.org.uk

Equality Impact Assessment Form

People responsible for overseeing the EIA
Chief Operating Officer – Dominic Richards
Name of the policy, procedure or project



Privacy Notice Candidates

What is the main purposes or aims of the policy, procedure or project?

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Who will be the beneficiaries of the policy, procedure or project?

Candidates

Have you consulted on this policy, procedure or project?

There has been no need to consult on this privacy notice. We follow the UK GDPR and HfL model privacy notices to ensure compliance

Complete the following table and give reasons/comments for where:

The policy, procedure or project could have a positive impact on any person or group because of one of the following aspects of their identity

The policy, procedure or project could have a negative impact on, or disadvantage, a person or group because of one of the following aspects of their identity.

(At this stage, it is important to consider the requirements placed upon a school as per the Equality Act 2010.)

Groups	Positive impact		Negative impact		Comments
	High	Low	High	Low	
Race	x				Race is special category data and this notice outlines how we treat that data securely and the rights of data subjects



Religion or belief	x				Religion or belief is special category data and this notice outlines how we treat that data securely and the rights of data subjects
Sexual orientation	x				Sexual orientation belief is special category data and this notice outlines how we treat that data securely and the rights of data subjects
Sex	X				This notice outlines how we treat that data securely and the rights of data subjects
Disability	X				This notice outlines how we treat that data securely and the rights of data subjects
Age	X				This notice outlines how we treat that data securely and the rights of data subjects
Gender reassignment	X				This notice outlines how we treat that data securely and the rights of data subjects
Pregnancy and maternity	X				This notice outlines how we treat that data securely and the rights of data subjects

Marriage and civil partnership	x				This notice outlines how we treat that data securely and the rights of data subjects
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Where there is negative impact, what actions could be taken to amend the policy, procedure or project to minimise the negative impact?



There is no negative impact relating from this notice

If there is no evidence that the policy, procedure or project promotes equality, equal opportunities or improves relationships between people with different protected characteristics, what amendments could be made to achieve this?

The notice has a positive impact on protected characteristics as it details how we securely treat the data and that rights that individuals have in relation to the data

How will the policy, procedure or project be implemented including any necessary training?

The notice will be issued to candidates at the point of applying for a role.

Version control (to be removed by Policy Officer prior to publication)

Version	Date	Document name	Details
1	09.03.22	Candidate Privacy Notice	Updated March 2022 using the Herts for Learning model privacy notice
2	07.03.23	Candidate Privacy Notice	updated March 2023 using HfL Education model privacy notices. Reference to EU GDPR replace with UK GDPR
3	11.03.24	Candidate Privacy Notice	updated March 2024 using HfL Education model privacy notices (March 2023)

