

## **Privacy Notice - Job Applicants**

Under UK data protection law, individuals have a right to be informed about how Batley Multi Academy Trust ("the Trust"), uses any personal data we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals applying for jobs across the Trust.

We, Batley Multi Academy Trust, whose registered address is Batley Multi Academy Trust, % Upper Batley High School, Blenheim Drive, Batley, WF17 0BJ, are the 'data controller' for the purposes of UK data protection law.

Our Data Protection Officer is Laura Bland (see 'Contact us' below).

Successful candidates should refer to our privacy notice for the school workforce for information about how their personal data is collected, stored and used.

### **The personal data we hold**

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

- Contact details including forename, surname, preferred name and any previous names.
- Copies of right to work documentation.
- National Insurance number.
- References.
- Evidence of qualifications training.
- 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 (Amendment) (England and Wales) Order 2020.
- Notes taken during the selection process.
- Online searches (in line with Keeping Children Safe in Education) - this includes handles and social media platforms you use. This is for shortlisted candidates only.

We may also collect, process, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Racial or ethnic origin, religious beliefs and sexual orientation.
- Gender.
- Date of birth.
- Marital status.
- Disability/impairment and access requirements.
- CCTV recordings (school dependent, these may be visual and audio).

We may also hold data about you that we have received from other organisations, including other schools and social services, and the Disclosure and Barring Service in respect of criminal offence data.

### **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 learners.
- Enabling equality monitoring.
- Ensuring that appropriate access arrangements can be provided for candidates that require them.

### **Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

### **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:

- Comply with a legal obligation.
- Carry out a task in the public interest.

Less commonly, we may also use personal information about you 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).
- We have legitimate interests in processing the data – for example, where we satisfy the Public Sector Equality Duty.

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 personal information about you overlap, and there may be several grounds which justify the use of your 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 UK data protection law:

- We have obtained your explicit consent to use your 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 your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- 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 public health reasons, and the processing is done by, or under the direction of, a health 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 a condition for processing as set out in UK data protection law.

Conditions include:

- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by you.
- 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 the majority 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**

We maintain a file (electronic and hard copy) to store personal information from all job applicants. If you are unsuccessful, your selection process paperwork, application form, equality monitoring data, online searches information and references will be kept on file for 6 months, everything else will be disposed of no later than 1 month following your interview.

## **Data sharing**

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.

## **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 UK data protection law.

## **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 each school within the Trust holds about them.

If you make a subject access request and if we do hold information about you, upon request, we will (subject to any exemptions that may apply):

- 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.

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

If you would like to make a request, please contact our Data Protection Officer.

### **Your other rights regarding your data**

Under UK data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress.
- Prevent your data being used to send direct marketing.
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than 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 our Data Protection Officer.

## **Complaints**

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

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.

To make a complaint, please first contact our Data Protection Officer.

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

**Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer, Laura Bland via email on [dpo@batleymat.co.uk](mailto:dpo@batleymat.co.uk)