



Bedford Inclusive Learning and Training Trust

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Recruitment Privacy Notice

Policy Status: Statutory

Review Cycle: 2 Years

Owner: HR Director

Date: January 2024

Approved by: CEO & HR Director

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Policy Statement

Bedford Inclusive Learning and Training Trust (BILTT) is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with Trust policy review schedule. This privacy notice describes how we collect and use personal information about you during and after your work relationship with us, 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

Who Collects this Information

The 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 does not form part of any contract of employment or other contract to provide services and we 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 we process your information and the procedures we take to protect your personal data.

What information do we process during your application process?

We may collect, hold, share and otherwise use the following information about you during your application process:

- Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses.
- Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, qualifications.
- Details of your employment history including job titles and salary.
- 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 and social media content.
- Equal opportunities' monitoring data. i.e., your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs. This is used by the HR Team for monitoring purposes and is not part of shortlisting process.
- Details of any support or assistance you may need to assist you at the interview because of a disability.
- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers; *
- Confirmation of your academic and professional qualifications (including seeing a copy of certificates); If you are a teacher, we will check the National College of Teaching and Leadership (“NCTL”) Teachers Services about your teacher status; *
- Information via the DBS process, regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs), whether you are barred from working in regulated activity; *
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information; *

- Medical check to indicate fitness to work; *
- A copy of your driving licence (or other appropriate documentation as listed on the Home Office list); *
- We will check with the appropriate government agencies to see whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts and EEA teacher sanctions). *

It is a statutory requirement (by law or in order to enter into your contract of employment) to provide the categories of information marked (*) above to us to enable us to verify your right to work and suitability for the position. Without providing us with this information, or if the information is not satisfactory, then we will not be able to proceed with any offer of employment. If you are employed by us, the information we collect may be included on our Single Central Record. In this scenario, a further privacy notice in relation to data we collect, process, hold and share about you during your time with us, will be issued to you.

How and why we Use Your Information

We will only use your personal information when the law allows us to, we will process your personal data during your application process for the purpose of complying with legal obligations, carrying out tasks which are in the public interest, and taking steps with a view to entering into an employment contract with you. Most commonly, we will use your information in the following circumstances:

- To assess your suitability for the role you are applying for.
- Where we need to take steps to enter into a contract with you.
- Where we need 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 our legitimate interests and your interests, rights and freedoms do not override those interests.
- *Suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR and recruitment support or systems.*
- Professional advisers and consultants where appropriate.
- Where you have provided your consent for us to process your personal data and.
- So that we are able to monitor applications for posts in the Trust and to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010.

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

How We Use Particularly Sensitive Information

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

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our 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

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. 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 while working for us.

Sharing Data

We 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 we have another legitimate interest in doing so. These include the following: -

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

Retention Periods

Except as otherwise permitted or required by applicable law or regulation, the school 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. For further detail please see our Data Retention Policy. We have 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, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. If you are unsuccessful, we will hold your personal data only for six months (unless you have specifically asked or given permission to keep it longer (i.e.: Talent Pool for future suitable roles), after which time it is securely deleted. Successful candidates should refer to our Trust Privacy Notice about how their data is collected, stored and used by us as part of their employment.

Rights in relation to your personal data

All individuals have the right to request access to personal data that we hold about them. To make a request for access to their personal data, individuals should contact the Trust's HR Director – joanne.fossey@bilft.org in the first instance. Please also refer to our Trust Privacy Notice for further details on making requests for access to personal data. Individuals also have the right, in certain circumstances, to:

- Object to the processing of their personal data.
- Have inaccurate or incomplete personal data about them rectified.
- Restrict processing of their personal data.
- Object to the making of decisions about them taken by automated means.
- Have your data transferred to another organisation.
- Claim compensation for damage caused by a breach of their data protection rights.

The law does not oblige the school to comply with all requests. If the school does not intend to comply with the request, then the individual will be notified of the reasons why in writing.

How to Raise a Concern

We hope that the HR Team can resolve any query you raise about our use of your information in the first instance. We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the HR Team, then you can contact our Data Protection Officer: Paula Burgess – Director of Finance & Operations. You also have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues. At <https://ico.org.uk/concerns/>

Controlled Document Template

Date of review	Amendment/Reason for Review	Prepared by	Authorised Date
January 24	New Policy	J. Fossey HR Director	January 24