

Candidate Privacy Notice

Introduction

As part of its recruitment process for all categories of staff and workers, LET Education Trust collects and processes personal data relating to job candidates and potential candidates.

You are being provided with this privacy notice because you are applying for, or have expressed an interest in one of our vacancies.

It is important that you read this privacy notice. It explains how we collect, store and use personal data. It provides you with certain information that must be provided under the UK GDPR.

Each school within our trust has their own person who is the data controller of the personal information you provide to us. This means that they are responsible for deciding how we hold and use personal information about you.

The Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK-GDPR) outlines how personal data should be protected and used appropriately by organisations.

The personal data that we may process and hold

In connection with your application for work with us, we collect and processes a range of information about you. This includes, as appropriate:

- Your name, address and contact details, including email address and telephone numbers
- Details of your employment history, qualifications, skills and experience
- Information about your current level of remuneration
- Information about your entitlement to work in the UK
- Any information you provide to us during an interview, results of any recruitment tests and assessment / interview notes

We may also collect and processes the following types of more sensitive personal information that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal records

Information about criminal convictions

We may hold and process data about criminal offences and convictions in accordance with legal and safer recruitment obligations. We will only use information relating to criminal

convictions where the law allows us to do so and in line with our Data Protection Policy. Personal data relating to criminal convictions will be retained confidentially and securely and access to that data will be strictly controlled.

How your personal information is collected

We collect personal information about candidates from the following sources:

- Information you have provided when you make an application
- Information about you from third parties (such as employers' references) who are requested to disclose that information as part of the recruitment process
- Information obtained from your passport or other identity documents
- Your named referees
- Disclosure and Barring Service in respect of criminal convictions
- The Department for Education in respect of teaching sanctions
- Information you may provide to us directly in a job interview

How we use information about you and lawful basis

- a. To enable us to establish relevant experience and qualifications
- b. Assess your skills and suitability for the role
- c. Facilitate safer recruitment, as part of our safeguarding obligations
- d. Enable equalities monitoring
- e. Comply with legal or regulatory requirements
- f. To decide whether to enter a contract of employment with you

We do not use your information for any other purposes, except that if you're successful and you are employed by the Trust, your data will be further processed in accordance with our Staff Privacy Notice.

You are under no obligation to provide your consent, however, if you do not consent to us holding, processing and sharing your personal data during the recruitment process, we may not be able to provide you with your chosen services and process any application.

The Trust has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, meet its safeguarding requirements in line with statutory guidance such as *Keeping Children Safe in education*, 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, the Trust will need to process data for the recruitment process to ensure that it is complying with its legal obligations. For example, the Trust must check an applicant's entitlement to work in the UK and perform safer recruitment checks.

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with employment law and health and safety obligations (such as those in relation to employees with disabilities).

The Trust also processes other special categories of personal data, such as information about ethnicity, sexual orientation or religious beliefs. This is done for the purposes of equal opportunities monitoring.

Sharing your information

LET Education Trust will not share your data with anyone without your consent to do so unless required the law and our policies allow us to do so.

LET Education Trust will only share your personal data with relevant third parties, as necessary, for the purpose of managing our recruitment services, job applications and the recruitment process. This includes data processors who provide elements of services for us with appropriate contracts in place that meet data protection legislation requirements. These organisations act on our behalf in accordance with our instructions, provide the same data protection standards, are subject to a duty of confidentiality and do not process your data for any purpose over and above what we have asked them to do.

The Trust shares candidate and recruitment information with:

- Referees – details provided by applicant as part of the application process with consent
- Disclosure and barring service – for recruitment checks under legal / statutory basis

The school will only transfer your data outside the UK where contracts and agreements comply with legislation and have appropriate safeguards such as adequacy agreements or standard contractual clauses in place to protect your personal data.

How long is your data stored for?

If your application has been unsuccessful, we will retain your personal data for a period of 6 months after we have communicated to you, our decision. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way.

After this period, we will securely destroy your personal information in accordance with our Data Retention Policy.

If your application is successful, your personal data gathered during the recruitment process will be transferred to a personnel file / HR system and retained for the duration of your employment and for 6 years thereafter.

Storage and Security

The Trust ensures appropriate technical and organisational measures are in place to ensure personal data is processed securely.

Data will be stored in the Trust network or hard copy filing systems.

LET Education Trust has internal policies such as a Data Protection Policy and Data Retention Policy in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

LET Education Trust employees who have access to your personal data will respect the confidentiality of that data.

What are your rights?

Under data protection legislation, you have a number of rights. You have the right to:

- request access and obtain personal information about you that we hold
- 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;
- request data portability
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to seek redress, either through the ICO, or through the courts.

To exercise any of these rights, please contact our Data Protection Officer at LET Education Trust on enquiries@let-edu.org, or by writing to the postal address on our website. Please address letters: For the attention of the Data Protection Officer.

What if you do not provide personal data?

- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.
- You are under no statutory or contractual obligation to provide data to the Trust 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.
- 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.

Concerns or Complaints

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance by contacting our Data

Protection Officer at the Trust email address enquiries@let-edu.org, or by writing to the Trust's postal address. Please address letters: For the attention of the Data Protection Officer.

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

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

Call 0303 123 1113

Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Changes to this privacy guidance

We keep our privacy notice under regular review, and we will make new versions available on the Trust's website as required.