



Recruitment Privacy Notice

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Approved by:	Trust Board
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Together we **Exceed**



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1. Policy Statement

- 1.1 As part of your application to join Exceed Academies Trust, we will collect and use information relating to you. Exceed Academies Trust complies with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation, Data Protection Act 2018 and The Privacy and Electronic Communications (EC Directive) Regulations 2003) and all other applicable laws and regulations relating to processing of personal data and privacy, as amended and replaced from time to time.
- 1.2 For the purpose of Data Protection requirements, the data controller is Exceed Academies Trust, Dawnay Road, Bradford BD5 9LQ. This means our schools determine the purposes and means for which any personal data is to be processed.
- 1.3 We are registered as a Data Controller with the ICO: **ZA233844**
- 1.4 The role of the Data Protection Officer (DPO) is to oversee and monitor the Trust's data protection procedures, and to ensure they are compliant with the Data Protection Legislation. The Data Protection Officer can be contacted at info@exceedacademiestrust.co.uk.
- 1.5 This document sets out what personal data we will gather and hold about individuals who apply for a position with us, why we process that data, who we share this information with, and your rights in relation to your personal data processed by us.

2. Data Collection and Processing

2.1 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.

Up to and including shortlisting stage:

- Your name and contact details (i.e. address, home and mobile phone numbers, email address).
- Details of your qualifications, training, experience, duties, employment history (including job titles, salary, relevant dates and working hours), details of driving licence (if relevant for role), membership of professional bodies and interests.
- Equal opportunities' monitoring data including your racial or ethnic origin, gender and sexual orientation, religion or beliefs, marital status, disability.
- Information regarding your criminal record.
- Details of your referees.
- Whether you are related to any member of our workforce.
- Details of any reasonable adjustments required when attending an interview, under disability laws.

Following shortlisting stage, and prior to making a final decision:

- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, 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)*.
- Information via the Disclosure and Barring Service (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*.
- Evidence of your Right to Work in the UK.
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information*.
- Pre-employment health check to indicate fitness to work*.
- A copy of your driving licence (or other appropriate documentation as listed on the Home Office list)*.
- Information relating to any criminal convictions/cautions or bind overs, in line with the Rehabilitation of Offenders Act 1974.
- If you are a teacher, we will check the Teaching Regulation Agency (TRA) about your teacher status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts).

You are required (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. Failure to provide 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 Workforce Privacy Notice in relation to data we collect, process, hold and share about you during your time with us, will be issued to you.

2.2 Where do we get information from during your application process?

Depending on the position that you have applied for, we may collect this information from you through your application form and interview, your referees (details of whom you will have provided), your education provider, any relevant professional body, the Disclosure and Barring Service (DBS), TRA and the Home Office, during the recruitment process.

2.3 Why do we use this information?

We collect and use personal data as set out under the UK GDPR and UK law. We use this data:

- to assess your suitability for the role you are applying for.
- to take steps to enter into a contract with you.
- to check that you are eligible to work in the United Kingdom or that you are not prohibited from teaching.
- to monitor applications for posts in our Trust to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010.

2.4 Legal basis for using your personal information

Exceed Academies Trust relies on the following legal conditions that are described in the UK GDPR to use your personal information described in this privacy notice:

- **Contract Article 6(1)(b)** - which relates to the processing necessary for the performance of a contract.
- **Legal Obligation Article 6(1)(c)** - so we can comply with our legal obligations.
- **Public Task Article 6(1)(e)** - where processing is necessary for the performance of a task carried out in the public interest or in the exercise of the official authority vested in us.

Where we are required to collect special category data, we will use the following lawful basis of the UK GDPR which permits us to process special category data:

- **Employment, Social Security, and Social Protection (Article 9(2)(b))** – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment, social security and social protection law.

In addition, we rely on processing conditions of Schedule 1 part 1 of the Data Protection Act 2018. This relates to the processing of special category data for employment purposes.

2.5 How long will we hold information in relation to your application?

We will hold information relating to your application only for as long as necessary. If you are successful, then how long we need to hold on to any information will depend on the type of information. For further detail please see our Workforce Privacy Notice.

If, following an interview, you are unsuccessful, we will hold your personal data for six months, after which time it is securely deleted.

2.6 Who will we share information with about your application?

We will not share information gathered during your application process with third parties, other than professional advisors (such as legal or HR advisors) and our suppliers and service providers, to enable them to provide the service we have contracted them for.

When we use suppliers and service providers to process information, we ask them to demonstrate compliance with our security requirements, adhere to any instructions we give them and comply with relevant data protection legislation. We have contractual agreements with these organisations which clearly define their obligations about what information they hold.

The Trust recognises that AI has many uses to help pupils learn and support staff workload but also poses risks to sensitive and personal data. To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into any generative AI tools or chatbots. Examples of personal data would include; full name, Date of Birth, ethnicity, photo of child with personal data such as name. If personal and/or sensitive data is entered into a generative AI tool outside the Trusts Microsoft 365 Tenancy, the Trust will treat this as a data breach and will follow the personal data breach procedure.

A DPIA has been approved for the Trust to use a Microsoft 365 tenancy, which facilitates:

- Use of AI-assisted productivity tools in Microsoft 365
- The role of Microsoft as a processor
- The possibility that personal data stored within Microsoft 365 may be analysed by such tools to assist staff tasks

2.7 International Data Transfers

We do not transfer your personal data outside the UK or the European Economic Area (EEA) without appropriate safeguards. Transfers within the UK and EEA are permitted based on adequacy decisions. If data needs to be transferred to other countries, we ensure suitable protections such as the UK International Data Transfer Agreement or other approved mechanisms.

2.8 How we store information

All personal information is kept securely either on encrypted, password protected devices and systems, or paper copies kept on the school site. Once the deadline for retaining information has passed, data stored electronically is deleted and paper copies destroyed.

3. Rights in relation to your personal data

3.1 The UK GDPR gives all individuals certain rights about how their information is collected and used. To make a request for your personal information contact the Data Protection Lead at the relevant school.

3.2 You also have the following rights:

- **Right to be informed** – to be informed about how and why we process your personal information.
- **Right of access** - to ask for copies of your personal data that we hold about you, this is known as a subject access request (SAR), data subject access request or right of access request.
- **Right of rectification** - to ask us to change any information you think is not accurate or complete.
- **Right to erasure** - to ask us to delete your personal information.
- **Right to restriction of processing** – to ask us to stop using your information.
- **Right to object** to processing of your information, in certain circumstances.
- **Right of data portability** - allows individuals to obtain and reuse their personal data for their own purposes across different services.
- **Rights related to automated decision-making** including profiling.
- **Right to withdraw consent** at any time (where relevant).
- **Right to complain to the Information Commissioner** if you feel we have not used your information in the right way.

3.3 There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- **Right to erasure** does not apply when the lawful basis for processing is legal obligation or public task.
- **Right to portability** does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- **Right to object** does not apply when the lawful basis for processing is contract, legal obligation, or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

4. Complaints and Concerns

4.1 If you would like to discuss anything on this Privacy Notice, you are unhappy with the way your request for information has been dealt with or you think your data has been misused or not held securely, please contact our Data Protection Officer on e-mail:

info@exceedacademiestrust.co.uk

4.2 If you are unhappy with the outcome of your query or complaint, you can escalate your complaint please contact the Information Commissioner's Office (ICO). ICO helpline, Telephone: 0303 123 1113 <https://ico.org.uk/concerns/>