



MOWBRAY
Education Trust

Privacy notice for job applicants

June 2023

Under UK data protection law, individuals have a right to be informed about how the Trust uses any personal data we hold about them. We comply with this right by providing 'privacy 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 at our Trust. (Successful candidates should refer to our 'Privacy notice for the Trust workforce' for information about how their personal data is collected, stored and used)

We, Mowbray Education Trust (the Trust), c/o John Ferneley College, Scalford Road, Melton Mowbray, Leicestershire, LE13 1LH, are the 'data controller' for the purposes of UK data protection law. This policy covers all our educational establishments:

- Ab Kettleby Primary School
- Brownlow Primary School
- The Grove Primary School
- Iveshead School
- John Ferneley College
- Oasis Family Centre
- Sherard Primary School
- Somerby Primary School

Where this policy states 'school' this means any of our educational establishments and the wider Trust. Our data protection officer is **SPS DPO Services** (see 'Contact us' at the end of this privacy notice).

The personal data we hold

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

- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about race, ethnicity, religious beliefs, sexual orientation and political opinions
- Information about disability and access requirements
- Photographs and CCTV images captured in school

We may also collect, use, store and share (when appropriate) information about criminal convictions and offences.

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
- Facilitating safe recruitment, as part of our safeguarding obligations towards pupils
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates that require them

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 lawful 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** - we need to process data to meet our responsibilities under law and to keep our pupils and staff safe while on the school premises
- Carry out a task in the **public interest** - we need process data to fulfil our statutory function as a school

Less commonly, we may also use personal information about you where:

- You have given us **consent** to use your personal data in a certain way
- We need to protect your **vital interests** (or someone else's interests) - we will use this personal data in a life-or-death situation
- We have **legitimate interests** in processing the data - where there is a minimal privacy impact and we have a compelling reason
- We have to fulfil a **contract** with you or to help you enter into a contract with us

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 school's 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 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 information we collect about you is mandatory, there is some information that can be provided voluntarily.

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.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

How we store this data

Personal data we collect as part of the job application process is stored in line with our Data Protection and Retention policies.

When it is no longer required, we will delete your information in accordance with our Data Retention policy, details of which can be requested by e-mailing dataprotection@mowbrayeducation.org.

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.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Our local authority - to meet our legal obligations to share certain information with it, such as shortlists of candidates for a headteacher position
- Suppliers and service providers - to enable them to provide the service we have contracted them for, such as HR and recruitment support
- Employment and recruitment agencies
- Professional advisers and consultants

Transferring data internationally

Where we transfer personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

Use of your personal information for marketing purposes

Where you have given us consent to do so, the school may send you marketing information by e-mail or text promoting school events, campaigns, charitable causes or services that may be of interest to you. You can "opt out" of receiving these texts and/or e-mails at any time by clicking on the "Unsubscribe" link at the bottom of any such communication, or by contacting the Trust Operations Department (see 'Contact us' below) .

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 the school holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- 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 Trust Operations Department (see 'Contact us' below).

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
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection

regulations

To exercise any of these rights, please contact the Trust Operations Department (see 'Contact us' below).

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 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/make-a-complaint/>
- 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**:

SPS DPO Services

Email: sps-dpo-services@isystemsintegration.com

Correspondence address:

SPS SPO Services

I Systems
Integration
Devonshire House
29-31 Elmfield
Road Bromley
Kent
BR1 1LT
Tel: 0208 050 1387

However, the Trust Operations Department has day-to-day responsibility for data protection issues in our schools.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

Trust Operations Department, Mowbray Education Trust, c/o John Fernley College, Scalford Road, Melton Mowbray, LE13 1LH, Tel: 01664 565901 or email dataprotection@mowbrayeducation.org .

This notice will be reviewed next by the Mowbray Education Trust in Summer Term 2024.

Log of Changes to Document

Version	Date	Page	Change	Approver:
V1.0	25/05/18	All pages	Approved by MET Board	Group Operations
V2.0	Oct-19	All pages	Annual Review with the following changes made; Page 1 - Date of Policy updated, and Trust address added Page 3 - 'How we store this data' - updated with references to Data Retention Policy and how to obtain details Page 3 - 'Data Sharing' - addition of Local Authority and employment agencies to list Page 5 - Next MET Audit Committee review date updated Page 6 - Added table for 'Log of changes to Document' All pages - Version control and page numbers added	Group Data Protection Lead
V2.0	Oct-19	All pages	Draft for Annual Approval	MET Audit Committee
V2.0	31.10.19	All pages	Approved	MET Trust Board
V2.0	Aug-20	All pages	Annual review with the following changes made: Page 1 - Date of Policy updated Page 2 - The Personal data we hold section - reworded and removed duplication Page 2 - 'Why we use this data' section - added automated decision-making paragraph. Page 2/3 - Our lawful basis for using this data section - updated & highlighted basis for each line Page 3 - Addition of new section 'Our basis for using special category data' Page 4 - Collecting this info - reworded and added in data may be held from other sources - i.e. LA/Gov/Police Page 4 - Changed e-mail address in How we store this data to Data Protection e- mail Page 4/5 - Marketing use section added Page 5 - Your rights section updated on contact details Page 5 - Updated 2 new other rights - notified of breach and complaint to ICO Page 6 - Your other rights section updated on contact details	Group Data Protection Lead

			<p>Page 6 - Updated ICO 'Make a Complaint' link</p> <p>Page 6 - DPO Tel. contact number added</p> <p>Page 6 - Addition of Executive to contact us section</p> <p>Page 7 - Next review date for MET Trust Board approval updated</p>	
V2.0	Sept-20	All pages	For re-approval	MET Trust Board
V2.0	Nov-20	All pages	Re-approved - Policy date updated to November on 1 st Page	MET Trust Board
V2.0	Apr-21	1,3,4,5 4 6	<p>Updated wording 'UK Data Protection Law' following Brexit</p> <p>Changed wording around transferring personal data outside the EEA</p> <p>Added point on withdrawing consent</p>	AFR (Jun-21)
V2.0	Oct-21	All	Annual Review - No changes made	Data Protection Lead
V2.0	Jun-22	All	Iveshead added from incorporation point and revision date updated to Summer Term 2023	MET Board
V2.0	June 23	Whole document	<p>General document update</p> <p>Change Data Protection lead to Trust operations Department</p>	Audit Finance and Risk Committee