

## Transform Trust Recruitment Privacy Notice

As part of your application to join Transform Trust or a Trust member school, we will gather and use information relating to you. Information that we hold in relation to individuals is known as their "personal data". This will include data that we obtain from you directly and data about you that we obtain from other people and organisations. We might also need to continue to hold your personal data for a period of time after the recruitment process, even if you are unsuccessful. Anything that we do with an individual's personal data is known as "processing".

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.

### 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.
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs (which you can withhold if you wish and does not form any part of the recruitment process).
- Details of your referees.
- Whether you are related to any member of our workforce; and
- Details of any support or assistance you may need to assist you at the interview because of a disability.

Under UK General Data Protection Regulation (UK GDPR) the lawful bases we rely on for processing employee information is under Article 6:

- (a) Consent: the individual has given valid consent for you to process their personal data for a specific purpose.
- (b) Contract: the processing is necessary to perform a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).
- (e) Public task: the processing is necessary for you to perform a task in the public interest

or for your official functions, and the task or function has a clear basis in law, and in addition, concerning any special category (Article 9) data:

- (a) Explicit Consent;
- (b) Employment, social security and social protection, and
- (f) Legal Claims or judicial acts.

### **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, 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)\*
- Information regarding your criminal record (which should only be given under confidential cover)\*
- In line with Department for Education, Keeping Children Safe in Education safer recruitment requirements, information found from undertaking online and social media searches which is publicly available. This would be a check that considers safeguarding risks only and your suitability to work with children. In addition, any accessible on-line information that may significantly harm the reputation of the School/Trust would also be reviewed. The search will be independently undertaken by someone not involved in the recruitment/selection process. \*
- Information via the DBS process which may be regarding your criminal record, stated in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs), as well as 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 UK Passport (or other appropriate right to work documentation as listed on the Home Office list)\*
- If you are a teacher, we will check the Department for Education (DFE) Teachers' Services about your qualified teaching status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts). If you have taught abroad, we will require letter of professional standing from the professional regulating authority in the country you taught\*
- For those working in a management role including line management of others we will check whether there has been a S128 direction made against you using Department for Education (DFE) Teachers' Services portal\*
- For those working with certain age groups we shall require you to complete a disclaimer confirming that you are not disqualified under The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment)

Regulations 2018 from working with children that are under the age of 8\*

- If you have lived abroad in the last 10 years, we will require sight of an original overseas check (such as a police clearance or certificate of good conduct) from all countries you have lived in\*, and
- Equal opportunities' monitoring data.

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. 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 Transform Trust, including in one of our schools, some of the information we collect will 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.

### **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, your referees (which will be provided directly by you), your education provider, any relevant professional body, the Disclosure and Barring Service (DBS), DFE and the Home Office, during the recruitment process. For online /social media searches we will use common search engines, on-line tools and social media platforms

### **Why do we use this information?**

We will process your personal data during your application process for the purpose of complying with our legal obligations, carrying out tasks that are in the public interest, and taking the required steps with a view to entering into an employment contract with you.

This includes:

- To assess your suitability for the role you are applying for.
- To follow protocols before engaging in a contract with you.
- To check that you are eligible to work in the United Kingdom.
- To check that you are not prohibited from teaching; and
- So that we are able to monitor applications for posts in Transform Trust to ensure that we are fulfilling our obligations under the public sector equality duty as part of the Equality Act 2010.

### **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 the duration will depend on the type of information that has been gathered.

For further detail please ask to see the appropriate section of our Information Register which details our retention and storage of information.

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

### **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 and/or HR professionals.

### **Rights in relation to your personal data**

The UK-GDPR gives you certain rights about how your information is collected and used. To make a request for your personal information, contact the Trust Data Protection Officer. You also have the following rights:

- The right to be informed about the collection and use of your personal data – this is called 'right to be informed'.
- The right to ask us for copies of personal information we have about you – this is called 'right of access', this is also known as a subject access request, data subject access request or right of access request.
- The right to ask us for access to information about you that we hold.
- The right to have your personal data rectified, if it is inaccurate or incomplete-. this is called 'right to rectification'.
- The right to request the deletion or removal of personal data where there is no compelling reason for its continued processing- this is called 'right to erasure'.
- The right to restrict our processing of your personal data (i.e permitting its storage but no further processing)-. this is called 'right to restriction of processing'.
- The 'right to object to processing' of your information, in certain circumstances.
- The right not to be subject to decisions based purely on automated processing where it produces a legal or similarly effect on you.

Rights in relation to automated decision making and profiling.

- The right to withdraw consent at any time (where relevant).
- The right to complain to the Information Commissioner if you feel we have not used your information in the right way.

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.

### **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting

Jill Wilkinson, Transform Trust Data Protection Officer if the role you have applied for is centrally by the Trust: [dataprotection@transformtrust.co.uk](mailto:dataprotection@transformtrust.co.uk); or, if in one of our schools, the Headteacher who is the Data Controller for their school.

Please also refer to our Data Protection Policy for further details on making requests for access to personal data.

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

### **Concerns**

If an individual has any concerns about how we are using their personal data, then we ask that they contact our Data Controller (Rachel Hannon) in the first instance, however an individual can contact the Information Commissioner's Office should they consider this to be necessary, at <https://ico.org.uk/concerns/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact Jill Wilkinson or Rachel Hannon (Chief People Officer) for Transform Trust.  
[rachel.hannon@transformtrust.co.uk](mailto:rachel.hannon@transformtrust.co.uk).