

Privacy Notice - Applicants

As part of any recruitment process, the Sigma Trust collects and processes personal data relating to job applicants. The Sigma Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Why do we need your information? The Sigma Trust will only process personal data where there is a lawful basis to do so. We process personal data in order to meet the legal requirements set out in UK employment law and safeguarding requirements set out in childcare law, including those in relation to the following:

Contract Law	Academies legal framework
Eligibility to work in the UK	The Childcare (Disqualification) Regulations 2009
Keeping Children Safe in Education 2016 (As Updated)	Social Security

If an applicant fails to provide their personal data, this may lead to the following:

- Unable to process the application.
- Unable to continue with the recruitment process.

What personal data do we need from you?

Current name and any former names	Address	Date of Birth	Contact details, including email and phone number
National Insurance Number	Employment History, including reason for leaving	Current level of Pay and any Allowances	Pre-employment check information, including entitlement to work in the UK and Criminal Record Checks and online social media checks
History of sickness absence from previous employer. Information about your health via the pre-employment medical questionnaire and any subsequent referral to Occupational Health	Reference and Referees contact details	Qualifications/skills/ Experience, including Secondary School Education and Continuing Education and Professional Qualifications.	Breaks in employment history.
Ability to travel	Training & Development History	Close Personal Relationship information	Disability information to enable us to make reasonable adjustments

How will we be using your Personal Data?

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests

Personal Data that we collect in order to process job applications that is not provided directly by the applicant is given to us by:

Previous employer/s	The Teaching Regulation Agency
DBS service	Overseas Embassies

This is a source of personal data open to anyone Yes ☐ No ☒

These are the categories of personal data being given to us:

Basic Demographics, e.g. name, address, Date of Birth, Contacts	References from previous employers
employment suitability/safeguarding checks	Prohibition and Qualification Checks
Right to work checks	

We will share your data with third parties, including third-party service providers. This includes:

HR	Legal services
Trustees and Governors,	CEO/Headteacher
Regulator bodies	DBS provider ECC

We share your data when we are required to do so by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Please be advised that not all of the data you provide is shared with everyone listed. We only share data required for that particular function and only the minimum required.

Your Rights

Our use of the data will be subject to your legal rights (marked if applicable):	<u>Inform</u>	<input checked="" type="checkbox"/>	<u>Access</u>	<input checked="" type="checkbox"/>	<u>Rectify</u>	<input checked="" type="checkbox"/>	<u>Erase</u>	<input checked="" type="checkbox"/>
	<u>Restrict</u>	<input type="checkbox"/>	<u>Portable</u>	<input type="checkbox"/>	<u>Object</u>	<input checked="" type="checkbox"/>	<u>Automate</u>	<input type="checkbox"/>

Data protection law gives you certain rights about how your information is collected and used. To make a request for your personal information, please contact our Data Protection Officer by emailing DPO@sigmatrust.org.uk.

Under data protection law, you also have the following rights:

- The right to be informed about the collection and use of your personal information – this is called 'right to be informed'.
- The right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject request or right of access request.
- The right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- The right to ask us to delete your personal information – this is called 'right to erasure'.
- The right to ask us to stop using your information – this is called 'right to restriction of processing'.
- The 'right to object to processing' of your information, in certain circumstances.
- 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:
- The right to erasure does not apply when the lawful basis for processing is a legal obligation or public task.
- The right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- The 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.

If you have a concern about the way we are collecting or using your personal information, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office <https://ico.org.uk/make-a-complaint/data-protection-complaints/>

Transferring information outside the EU

We will ensure that your personal information receives an adequate level of protection and is treated by any third parties in a way that is consistent with and which respects the EU and UK laws on data protection.

Security

We have appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. There are procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Consent

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Withdrawal of Consent

Where we are processing your personal information 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 information, please let us know by contacting our Data Protection Officer by emailing DPO@sigmatrust.org.uk

Data Retention

When will applicant data stop being used?	Unsuccessful candidates: 6 months from the date of the appointment of the successful candidate. Successful candidates: Data will be held in line with the Personal File and Record Retention Document.
When will applicant data be deleted?	Unsuccessful candidates: 6 months from the date of the appointment of the successful candidate. Successful candidates: Personal File and Record Retention Document.

Contact

If you have any questions about this privacy notice or about how we handle your personal information, please contact: Emma O'Toole (DPO), The Sigma Trust, Tendring Education Centre, Jaywick Lane, Clacton-on-Sea, Essex, CO16 8BE DPO@sigmatrust.org.uk

Changes to this Privacy Notice

We may update this policy. We will notify you about significant changes in the way we treat personal information by placing a prominent notice on our web site.