

## **Privacy Notice for Recruitment and Candidate Information**

### **What is a Privacy Notice?**

The Data Protection Act 2018 (UKGDPR) gives everyone the right to be informed about how their information is used by organisations. This Privacy Notice explains how Elston Hall Learning Trust use information about individuals who apply for post within our Trust. If you can be identified from the information we hold, then this is known as “personal data”.

This Privacy Notice explains:

- why we use your personal data
- the reasons we need to do this
- what kinds of personal data we use
- where we collect your personal data from
- who we will share your personal data with
- how you can find out more.

### **About this Privacy Notice**

This privacy notice explains how we collect, store and use personal data about individuals who apply for posts with our academies, as part of our central Trust team.

Personal data is any information that can be used to identify you. It may include information you provide as part of an application process, information we already hold about you if you are already an employee, or information we collect from other organisations, or during online searches as part of pre-employment checks. When we use your personal data, this is known as “processing”

Under data protection law, individuals have a right to be informed about how we collect, use and share personal in relation to these processes. We comply with this right by publishing a privacy notice and making this available to you before you take part in our recruitment process.

Elston Hall Learning Trust is registered as a ‘data controller’ with the Information Commissioner’s Office (ICO), meaning that we are responsible for determining how your personal data is used.

We have a Data Protection Officer (DPO) to help us comply with our data protection responsibilities. Our DPO is provided by Services4Schools Ltd and they can be contacted at [dataprotection@ehlt.org.uk](mailto:dataprotection@ehlt.org.uk) You can contact them directly, if you need any further information about how we use your personal data.

## **What information do we collect?**

Elston Hall Learning Trust only collects information about you that is necessary to support our recruitment and candidate management processes. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process;
- information required to conduct statutory safeguarding checks
- information relating to your performance and conduct from current and previous employers in the form of references
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

## **How do we collect your information?**

When you apply for a job with us, Elston Hall Learning Trust collects your information in a variety of ways. For example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

We will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks via the Disclosure & Barring Service.

Most of the information you provide us with at the point of application will be collected through our Trust recruitment portal – My New Term.

## **Our Legal Basis for Using Your Data**

When an organisation uses personal data, they need to explain why this is necessary. This is referred to as “the lawful basis” for processing. At Elston Hall Learning Trust, we use your information where the one or more of the following lawful basis for processing have been met:

- Article 6, 1, (a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes
- Article 6, 1, (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- Article 6, 1, (c) processing is necessary for compliance with a legal obligation to which the controller is subject

The basis/bases we rely on for processing special category information for general purposes are:

- Article 9, 1, (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes

- Article 9, 1, (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 and social security and social protection law

We also collect and use personal data where it is necessary to meet the legal responsibilities set out in data protection legislation, other UK law and regulation that applies to schools. These include the following:

- Education Act 2011
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009
- Keeping Children Safe in Education 2025 regulations

### **Where will your data be stored?**

Data will be stored in a range of different places, including on your application record which is held securely in My New Term. We also hold application and recruitment data in paper records, on our cloud-based IT infrastructure and on other internal IT systems (including email).

### **Why we process your personal data?**

Elston Hall Learning Trust needs to process your personal data as part of the recruitment process. In some cases, we need to use your information to ensure we are complying with our legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

We also have statutory duties to undertake in relation to safeguarding. This includes using your personal data to conduct online checks for shortlisted candidates in line with the safer recruitment guidance in Keeping Children Safe in Education 2025.

We have 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, 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.

Where we have relied on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of applicant and potential employees and have concluded that this is not the case.

Elston Hall Learning Trust processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

As education providers, Elston Hall Learning Trust and our schools are obliged to seek information about criminal convictions and offences. Where we seek this information, it does so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.

We will not use your data for any purpose other than the recruitment exercise for which you have applied.

### **Who has access to your data?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the recruitment panel, interviewers involved in the recruitment process, managers in the area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

When you apply for a position with an academy in Elston Hall Learning Trust, you will enter personal data into our recruitment platform My New Term. This is only accessible by Trust Staff and the administrators of the system for the purposes of the management of technical issues.

Elston Hall Learning Trust will share your information with our Human Resources provider (Services 4 Schools Ltd), where they have been requested to support with the recruitment process.

We will also share your data with third party providers such as the disclosure and barring service to obtain necessary criminal records checks.

We will share your personal data with the organisations you have nominated to provide references in line with safer recruitment practices.

We will share your personal data with the organisation appointed to undertake statutory background and right to work checks in line with the requirements of Keeping Children Safe in Education.

We will share your data with our legal representatives if a legal process determines it necessary to do so, or we are required to do so by a UK court.

We will share your personal data with other official bodies (for the purposes of preventing and investigation of criminal activities, including fraud).

We will not transfer your data outside the UK without obtaining your consent or before ensuring there are appropriate contractual and security provisions in place.

### **How does the Trust protect personal data?**

Elston Hall Learning Trust takes the security of your data seriously. It has internal policies such as a Data Protection Policy and Records Management 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. These policies can be viewed on our Trust website: <https://www.elstonhallmat.co.uk/policies>

### **How long do we keep recruitment data?**

If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process. At this point it will be disposed of securely in line with our Records Management Policy.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment.

The periods for which your data will be held will be provided to you in a new privacy notice once you are employed by Elston Hall Learning Trust.

### **What if you do not provide your personal data?**

You are under no statutory or contractual obligation to provide data to Elston Hall Learning 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.

### **Your rights**

Data Protection law provides you with certain rights.

### **Requesting access to your personal data**

You have the right to request access to information about you that we hold.

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

### **Your Other Information Rights:**

- **The right to know how your information is being used** – We uphold this by publishing Privacy Notices and letting you know how your information will be used when we collect it.
- **The right to have inaccurate information amended** - We uphold this right by asking you to review the information we hold on record and updating information if you provide evidence to show it has changed
- **The right to have information removed or deleted from your records** – We uphold this right by removing or deleting your information that we are no longer required to keep
- **The right to temporarily restrict how your information is used** - We uphold this right by not using information until we have confirmed what is accurate, unless it is necessary to do so
- **The right to object to us using your data for certain purposes** – We uphold this by asking for your consent or permission to use your information for these purposes (including direct marketing and for scientific/historical research and statistics)
- **The right for important decisions about you not to be made solely by automated systems that use your information (like computer algorithms and AI)** – We uphold this right by letting you know if these systems are used and giving you a choice for these types of decisions to be reviewed.

If you would like to exercise any of these rights, please contact our Data Protection Officer via email: [dataprotection@ehlt.org.uk](mailto:dataprotection@ehlt.org.uk). You can also make a subject access request by emailing this address.

If after contacting our DPO, you believe that we have complied with our data protection obligations, or upheld your rights appropriately, you can complain to the Information Commissioner at <https://ico.org.uk/make-a-complaint/>

**Last Review**

This Privacy Notice was last updated in April 2026