



Privacy Notice for Job Applicants

Approved by: Wendy Hill

Date: 13th January 2026

Last reviewed on: 12th January 2026

Next review due by: 12th January 2027

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1. Introduction

Under UK Data Protection Law, individuals have a right to be informed about how our Trust uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing 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 schools**. Data is collected directly from candidates, from previous employers and from other third parties, such as third-party background checking providers and recruitment agencies. Personal information is collected via My New Term, the Trust's Applicant Tracking System; additional personal information is also collected in the course of job-related activities throughout the period of employment.

Greensand Multi Academy Trust, is the 'Data Controller' for the purposes of UK Data Protection Law.

Our Data Protection Officer is Wendy Hill (see 'Contact us' below).

2. The Personal Data We Hold

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
- CCTV footage and other information obtained through electronic means (such as electronic sign in and out systems).

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.

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.

3. Why We Use This Data

We use the data listed above to:

- a) Enable us to establish relevant experience and qualifications
- b) Facilitate safer recruitment requirements when making a decision connected to the recruitment or appointment process
- c) Enable equalities monitoring
- d) Ensure that appropriate access arrangements can be provided for candidates that require them
- e) Determining the terms on which someone can work with the Trust
- f) Determining someone's legal right to work in the UK
- g) Payroll purposes, including tax, NI and student loan deductions
- h) Auto enrollment into the appropriate occupational pension scheme as part of the Trust's statutory auto enrolment duties
- i) Conducting performance reviews, managing performance and determining performance requirements
- j) Making decisions about salary reviews and compensation
- k) Gathering evidence for possible grievance or disciplinary hearings
- l) Making decisions about a candidate's continued employment or engagement
- m) Making arrangements for the termination of a candidate's working relationship
- n) To monitor, evaluate and structure induction, training and development requirements
- o) Dealing with legal disputes involving a candidate(s), or other employees, workers and contractors, including accidents at work
- p) Ascertaining fitness to work
- q) Complying with health and safety obligations
- r) Conduct data analytics studies to review and better understand employee retention and attrition rates.

3.1. Use of Your Personal Data in Automated Decision Making and Profiling

We do not currently process any job applicants' 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. All recruitment decisions are made by Trust employees.

4. Our Lawful Basis For Using This Data

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 would go about withdrawing consent if you wish to do so.

We process this information because it is necessary for the Trust to enter into an employment (or other work related) contract with you and for the subsequent performance of that contract. We also need to process this information to ensure we are complying with our legal obligations, such as ensuring that you have a right to work in the UK, and/or to carry out a task in the public interest. We require DBS checks to be undertaken as part of our safer recruitment process.

We process special category data, such as information about your ethnic origin or health, as part of our equal opportunities monitoring process and in order to meet legal obligations (such as the requirement to make reasonable adjustments for an employee with a disability). This information is collected with the express consent of employees. Consent may be withdrawn at any time.

If we wish to process your personal data for a new purpose, we will inform you of any additional processing.

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 would go about withdrawing consent if you wish to do so.

4.1. 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 1 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 need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- 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.

5. Collecting This Data

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 or tribunals.

We collect special category data (such as ethnicity or health information) only when necessary and with your consent. You may withdraw your consent at any time by contacting the Data Protection Officer (see contact us section).

6. How We Store This Data

We keep personal information about you during the application process. We may also keep it beyond this if this is necessary. Our Data Retention and Destruction Policy sets out how long we keep information about applicants. This is available on the Greensand Multi Academy Trust website.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need in accordance with the Trust's Data Retention and Destruction Policy. The records relating to unsuccessful applicants will be retained for six months following the appointment to the post unless the applicant has given permission to hold details on file.

Data relating to successful applicants is transferred to their personnel file.

7. Who We Share Data With

We do not share information about you with any third party without 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, Surrey County Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns.

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR, Occupational Health and recruitment support
- Professional advisers and consultants
- Employment and Recruitment Agencies

Where personal data is shared, it will be transferred using encryption software or password protected documents.

7.1. Transferring Data Internationally

It is unlikely that we will need to transfer data internationally during the recruitment process. However, we may need to refer to:

- Other schools or educational establishments
- Government departments or agencies
- Security organisations
- App or cloud server providers.

Where we reference your 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.

8. **Your Rights – Accessing Personal Information**

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will *(subject to any exemptions that may apply):

- 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 the 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 us (see 'Contact us' below).

* Exemptions include employment references which are provided to the Trust in confidence.

8.2. **Your Other Rights Regarding Your Data**

Under UK Data Protection Law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its 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 us (see 'Contact us' below).

9. 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.

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.

10. Contact Us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

Wendy Hill
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