



RECRUITMENT AND EMPLOYMENT PRIVACY NOTICE

Notice approved at the Trust Board meeting on
9th December 2021

Signed

A handwritten signature in black ink that reads "Janet E. Gregory". The signature is written in a cursive style with a large initial 'J'.

Janet Gregory
Chair of Trust Board

NEXT REVIEW – AUTUMN 2024
CRANMER EDUCATION TRUST

THE BLUE COAT SCHOOL, EGERTON STREET, OLDHAM. OL1 3SQ

Introduction

Under data protection law, individuals have a right to be informed about how the 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 for applicants, employees, workers (including agency, casual and contracted staff); volunteers; trainees and those carrying out work experience.

We, Cranmer Education Trust, are the 'data controller' for the purposes of data protection law.

The personal data we hold

We process data relating to those we employ, or otherwise engage as described above, 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 including name address email telephone number and emergency contacts
- Personal demographics including date of birth, marital status, civil partnership and gender
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Recruitment information, including application forms, interview notes, copies of right to work documentation, pre-employment and verification checks, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures in line with Trust policies (including Employment Tribunal applications, complaints)
- Information relating to health and safety (including accident and incident details)
- Absence data
- Copy of driving licence
- Photographs
- CCTV footage
- Data about your use of the Trust's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records
- Biometric data
- Offences (including alleged offences), criminal proceedings, outcomes and sentences.

We will only collect information about criminal convictions if it is appropriate for the employment role and where we are legally permitted or required to do so. We collect information about criminal convictions as part of the recruitment process or may be notified of information directly by you or a 3rd party in the course of your recruitment or employment.

Why we use this data

The purpose of processing this data is to help us run the school, including to:

- Undertake pre employment and verification checks during the recruitment process
- Checking, where relevant to the role and in compliance with the ROA Act 1974, criminal records to determine suitability for appointment
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Making a decision about your recruitment or appointment
- Inform our recruitment and retention policies
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Enable you to be paid and to deduct tax and national insurance contributions
- Liaise with your pension provider
- Administer the contract we have entered into with you
- Gathering evidence for e.g. grievance or disciplinary hearings, disputes or accidents at work
- Support effective performance management, assessing qualifications, pay and progression decisions
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- To comply with health and safety obligations and public access legislation
- Managing and improving absence
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

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:

- To enable the Trust to make recruitment and selection decisions.
- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards
- Where it is needed in relation to exercising or defending legal rights (e.g. in relation to legal proceedings and claims)
- Your consent (in situations where you have a genuine choice and control over whether your information is processed, including the right to withdraw your consent at any time without detriment)
- Compliance with any court orders
- Carry out a task in the public interest
- • our legitimate interests (or those of a third party) provided your interests and fundamental rights do not override those interests. E.g. monitoring IT and communication systems for compliance with policies, to ensure network and information security.

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

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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.

Collecting this information

While most of information we collect from you is mandatory, there is some information that you can choose whether to provide to us.

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.

How we store this data

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our record retention schedule.

If you are an unsuccessful applicant, we will retain your identifiable information for six months after the date of appointment, with the exception of the records of unsuccessful applicants for Headteacher appointments where records will be retained for six years after the date of appointment

You can request details of the record retention schedule from the Trust Director of Operations.

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 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 safeguarding concerns
- The Department for Education
- Your family or representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Trade unions and associations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

- Professional bodies
- Employment and recruitment agencies

As well as information directly collected from candidates in the recruitment process and from employees during the course of employment, we also collect or receive information from:

- Former employers
- Referees
- Employment agencies
- Disclosure and Barring Service
- Complainants (e.g. service users/employees)
- Next of kin
- Health professionals
- Public sources, if relevant to employment and job role

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Your rights

How to access 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 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 HR@Cranmeredt.org

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing

- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the trust Director of Operations on cellis@cranmeredt.org

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. The DPO contact is Oldham

Justin Hardy
Data Protection Officer
Oldham Council
Civic centre
West Street
Oldham
OL1 1UG

Email: dataprotectionofficer@oldham.gov.uk

Tel: 0161 770 1311

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Contact form : <https://ico.org.uk/global/contact-us/>
- Website: <https://ico.org.uk/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF