

## APPLICANT PRIVACY NOTICE

**Data controller:** The Prospect Trust, Quatro House, Frimley Road, Frimley, Surrey GU16 7ER.

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

### What information do we collect?

The Prospect Trust collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- details of your memberships of any professional bodies, training history and positions of leadership;
- information about your current level of remuneration;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- details of your referees from your previous two employers;
- details of any criminal convictions in the UK and overseas;
- information from online resources such as social media,
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, gender, age group and any disabilities.

The Trust collects this information in a variety of ways, including in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The Trust will also collect personal data about you from third parties, such as references supplied by former employers, information from online resources such as social media, employment background check providers and information from criminal records checks. The Prospect Trust will seek information from online resources, and third parties for reference purposes, prior to interview.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

### Why do we process personal data?

The Prospect Trust needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The Trust has a legitimate interest in processing personal data during the recruitment

process and for keeping records of the process. Processing data from job applicants allows the Trust to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Trust may also need to process data from job applicants to respond to and defend any legal claims.

Where the Trust relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The 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 the Trust processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring and statutory reporting purposes only.

The Trust is obliged to seek information about criminal convictions and offences under the Keeping Children Safe in Education statutory guidance for schools and colleges. Where the Trust seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

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

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

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

The Trust will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Trust will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and Disclosure and Barring Service (DBS) to obtain necessary criminal records checks which includes Strictly Education 4S Ltd who act as an umbrella body in processing online DBS applications on behalf of the Trust.

Google is an international organisation and in order to provide you with access to Google email services your data may end up being transferred to a data center outside of the UK.. Google's privacy policy can be found here: <https://policies.google.com/privacy?hl=en-UK>

Other service providers used by the Trust may also transfer or store data outside of the UK. In such cases, it will only be where the destination country has been declared by the European Commission as having adequate levels of protection or where adequate and appropriate safeguards are in place.

### **Disclosure and Barring Service**

The DBS has a number of service specific privacy policies. The policy for standard and enhanced disclosure checks explains how the DBS will use your personal data and outlines your rights under the UK GDPR. The Standard and Enhanced DBS check privacy policy can be found here: <https://www.gov.uk/government/publications/standard-and-enhanced-dbs-check-privacy-policy/standard-and-enhanced-dbs-check-privacy-policy>

Strictly Education 4S Ltd acts as an umbrella body in processing online DBS applications on

behalf of the Trust. The Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information Policy Statement can be found here: <https://www.strictlyeducation4s-hr.co.uk/dbs/dbs-policies>

### **How do we protect data?**

The Trust takes the security of your data seriously. It has internal policies and controls 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. The latest version of any approved policy will always be published online within Trust Academies.

### **For how long do we keep data?**

If your application for employment is unsuccessful, the Trust will hold your data on file for six months after the end of the relevant recruitment process. At the end of that period your data is deleted or destroyed.

If your application is for employment and 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 under the employee privacy notice.

### **Automated decision-making**

Recruitment processes are not based solely on automated decision-making.

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

You are under no statutory or contractual obligation to provide data to the Trust during the recruitment process. However, if you do not provide the information, the Trust 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**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the Trust to change incorrect or incomplete data;
- require the Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Trust is relying on its legitimate interests as the legal ground for processing; and
- ask the Trust to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact [dpo@prospecttrust.org.uk](mailto:dpo@prospecttrust.org.uk)

In the event that you believe that the Trust has not complied with your data protection rights, you can complain to the Information Commissioner's Office.