

## **Privacy Notice for job applicants**

### **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 within our trust.**

We, Birmingham Diocesan Multi-Academy Trust, are the 'controllers' of the information for the purposes of UK data protection law.

Birmingham Diocesan Multi-Academy Trust Schools:

Austrey Church of England Primary School – Warwickshire  
 Bentley Heath Church of England Primary School - Solihull  
 Christ Church, Church of England Secondary Academy – Yardley Wood  
 Coleshill Church of England Primary School – Coleshill (North Warwickshire)  
 Hawkesley Church Primary Academy – Kings Norton  
 Holy Trinity Church of England Primary Academy – Handsworth  
 Lady Katherine Leveson Church of England Primary School - Solihull  
 Nethersole Church of England Primary Academy – Polesworth (North Warwickshire)  
 Nonsuch Primary School – Woodgate Valley  
 Newton Regis Church of England Primary School – Tamworth (Staffordshire)  
 Quinton Church Primary School -Quinton  
 St. Clement's Church of England Primary Academy – Nechells  
 St. George's Church of England Primary Academy – Edgbaston  
 St. George's Church of England Primary Academy – Newtown  
 St. Margaret's Church of England Primary School - Solihull  
 St. Michael's Church of England Primary Academy – Handsworth  
 St. Michael's Church of England Primary Academy – Bartley Green  
 Warton Nethersole's Church of England Primary School - Tamworth (Staffordshire)  
 Woodside Church of England Primary School – Warwickshire

We are an education organisation, and our contact details are:

Address:	1 Colmore Row, Birmingham, B3 2BJ
Email:	<a href="mailto:enquiries@bdmat.org.uk">enquiries@bdmat.org.uk</a>
Telephone number:	0121 426 0403

Our Data Protection Officer (DPO) is Michele Fullwood, Head of School Support, who can be contacted at 1 Colmore Row, Birmingham, B3 2BJ, [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk) or 0121 426 0403 if you have any queries about this notice or anything related to data protection.

This Recruitment Privacy Notice covers recruitment of the following types:

- Permanent or fixed term appointments in one of our central departments
- Permanent or fixed term appointments in one of our schools
- Apprentices

### **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 such as name, title, addresses, telephone numbers, and personal email addresses
- copies of driving licence, passport, birth certificates and proof of current address, such as bank statements and council tax bills
- evidence of how you meet the requirements of the job, including references and qualifications
- evidence of your right to work in the UK and immigration status
- employment records, including work history, job titles, training records and professional membership
- other information required for some applications
- if you contact us regarding your application, a record of that correspondence
- details of your use of our recruitment tools and services, such as your candidate profile and alerts for vacancies
- the status of your application and updates on how it moves forward

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:

- diversity and equal opportunities monitoring information – this can include information about your race or ethnicity, religious beliefs, sexual orientation, and political opinions
- Information about disability and access requirements
- Photographs and CCTV images captured in school

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.

### **Why we use this data**

We use the data listed above to:

- a) enable us to establish relevant experience and qualifications
- b) Facilitate safe recruitment, as part of our safeguarding obligations towards pupils.
- c) Enable equalities monitoring
- d) Ensure that appropriate access arrangements can be provided for candidates that require them.

### **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting us (see 'Contact us' below).

### **Use of your personal data in automated decision making and profiling**

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices to explain the processing to you, including your right to object to it.

### **Our lawful basis for using this data**

Our lawful bases for processing your personal data for the purposes listed in the **Why we use this data** section above are as follows:

For the purposes of a) from the section **Why we use this data** in accordance with the "contract" basis - we need to process personal data to help you enter into a contract with us, should you be successful in your application.

For the purposes of a) and b) from the section **Why we use this data** in accordance with the “Legal Obligation” basis - we need to process personal data to meet our responsibilities under law as set out here: All schools must carry out checks on individuals to safeguard pupils as recorded in Keeping Children Safe in Education.

For the purposes a) and b) from the section **Why we use this data** in accordance with the “Legal Obligation” basis - we need to process personal data to meet our responsibilities under law as set out here: The law on preventing illegal working is set out in sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006 (known as the 2006 Act). These rules came into force on 29 February 2008. Under the 2006 Act we have a duty to prevent illegal working by carrying out document checks to confirm if a person has the right to work in the UK.

For the purposes of c) from the section **Why we use this data** in accordance with the “Consent” basis- we will obtain consent from you to use your personal data

For the purposes d) from the section **Why we use this data** in accordance with the “Legal Obligation” basis - we need to process personal data to meet our responsibilities under law as set out here: The Health and Safety at Work Act 1974 and The Management of Health and Safety at Work Regulations 1999 state all schools have a duty to protect the health and safety of all visitors

Where you have provided us with consent to use your personal 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

### **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 one 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

### **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, tribunals

### **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 guidelines, which can be found on the BDMAT website <https://bdmatschools.com/documents/bdmat-retention-policy/> sets out how long we keep information about staff. A copy is available on request.

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 it.

### **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 dependent upon locality of school [Birmingham, Solihull or Warwickshire] – 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 and recruitment support
- Professional advisers and consultants
- Employment and recruitment agencies– My New Term

### **Transferring data in nationally**

We may share personal information about you with the following international third parties, where different data protection legislation applies:

Some supporting services (EG Microsoft CRM) might use cloud platforms that operate from Third Countries outside of the EEA. Where this is the case, we ensure that adequate safeguards are established to protect your data.

Where we transfer 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.

## **Your rights**

### **How to access personal information that we hold about you**

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).

Subject access requests can be made verbally. To ensure that your verbal request is fully understood the Information Commissioners Office (ICO) on their website say the following:

*Yes. You can make a subject access request verbally, but we recommend you put it in writing if possible because this gives you a record of your request.*

*If you are making a verbal request, try to:*

- *use straightforward, polite language;*
- *focus the conversation on your subject access request;*
- *discuss the reason for your request, if this is appropriate – work with them to identify the type of information you need and where it can be found;*
- *ask them to make written notes – especially if you are asking for very specific information; and*
- *check their understanding – ask them to briefly summarise your request and inform them if anything is incorrect or missing before finishing the conversation.*

*However, even if you make your request verbally, we recommend you follow it up in writing (eg by letter, email or using a standard form).*

To avoid confusion, we ask you when making a subject access request, you do so by contacting our Data Protection Officer, Michele Fullwood, in writing either to Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or by email to [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

### **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 our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

## **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 contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk) or

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

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer, Michele Fullwood, Birmingham Diocesan Multi-Academy Trust, 1 Colmore Row, Birmingham, B3 2BJ or email [dpo@bdmat.org.uk](mailto:dpo@bdmat.org.uk)

## **Last Updated**

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was drafted on December 17<sup>th</sup>, 2021.