



KALEIDOSCOPE
Multi Academy Trust

Privacy Notice for Job Applicants

Approved by:	Kaleidoscope Trust Board	Date: September 2023
Next Review:	September 2024	

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how Kaleidoscope MAT (KMAT) and its schools 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 KMAT .

Our trust, Kaleidoscope Multi-cademy Trust, (C/O St Martin's C of E Primary School, Spring Hill, Weston-Super-Mare BS229BQ tel.) is the 'data controller' for the purposes of UK data protection law.

Our external data protection officer is Amy Brittan (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
- ID documents
- Copies of right to work documentation
- References
- Evidence of qualifications and education
- Employment records, including work history, job titles, training records and professional memberships
- Membership of professional or Government bodies
- Disciplinary actions and/or sickness information
- Any other relevant information you wish to provide to us

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
- 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.

2.1 Online searches

As part of the shortlisting process, 'Keeping Children Safe in Education' states that schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. The Trust may therefore carry out online searches for candidates. We will only search for publicly available information and the search will be carried out by an independent person not on the interview panel, according to the following criteria:

Is there an indication within the online searches that the candidate has:

- harmed or may have harmed a child?
- posted content that is a criminal offence against or related to a child?
- posted content that poses a risk of harm to children?
- posted content that indicates they may not be suitable to work with children (this covers any incident in the candidate's personal life that might be a transferable risk into the workplace)?

All candidates will be searched in the same way, using the same criteria. Evidence of any of the above criteria may mean we raise this at interview with candidates before making a judgement. We will retain records of any online searches for shortlisted candidates with your application records (see 'How we store this 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 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

3.1 Use of your personal data for marketing purposes

We do not use your personal information for marketing purposes.

3.2 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.

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in section 3 above are as follows:

- *Article 6 (1) (b) Contract:* The school is required to process your personal data and your special category data for the performance of your employment contract or to take necessary steps to enter in to an employment contract
- *Article 6(1)(c) Legal Obligation:* to follow the statutory guidance for safer recruitment within Keeping Children Safe in Education 2022
- *Article 9(2)(i):* The School is also legally required to collect some information as defined by employment law (i.e. equalities and diversity)

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
- Referees
- Other employers

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 record retention schedule/records management policy sets out how long we keep information about applicants. This can be accessed via the policy page on the KMAT website – www.kaleidoscopemat.co.uk

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.

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 (North Somerset)– 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
- third party assessment providers (in order to facilitate your suitability for a role)
- Professional advisers and consultants
- Employment and recruitment agencies

7.1 Transferring data internationally

We have audited where we store all the personal data processed in the Trust and by third party services. If a third-party service stores data in the EU or US, we have ensured that safeguards such as standard contractual clauses are in place to allow the safe flow of data to and from the Trust.

8. Your rights

8.1 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).

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, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**.

Our data protection officer is: Amy Britton dposchools@somerset.gov.uk

However, our **Data Protection Lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them:

Simon Marriott 01934 640941