# PENK VALLEY ACADEMY TRUST

## *Privacy Notice for Job Applicants*

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| **Adopted by Trustees:** | |
| **Signed:** | |
| **Date:** | Summer 2026 |
| **This policy is reviewed every 3 years by the Finance Audit and Risk Committee.** | |
| **Review date:** | Summer 2029 |

COLLABORATION CHALLENGE CURIOSITY CARE

**POLICY INFORMATION**

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| **Date of last review:** | Summer 2026 | **Review period:** | 3 Years |
| **Date ratified by Trustees:** | Summer 2026 | **Trustee committee responsible:** | Finance Audit and Risk |
| **Policy owner:** | COO | **Executive team member responsible:** | COO |

**Reviews/revisions**

| Review date | Changes made | By whom |
|---|---|---|
| May 2021<br>Nov 2021<br>Jun 2023<br>Summer 2026 | Notice created.<br>Added reference to Data Retention Schedule to Section 6<br>Added paragraph to Section 4 regarding checks<br>Updates | <br><br>CH<br>LMC |

**Equality and GDPR**

All Penk Valley Academy Trust policies should be read in conjunction with our Equal Opportunities and GDPR policies.

Statement of principle – Equality

We will take all possible steps to ensure that this policy does not discriminate, either directly or indirectly against any individual or group of individuals. When compiling, monitoring and reviewing the policy we will consider the likely impact on the promotion of all aspects of equality as described in the Equality Act 2010.

Statement of principle – GDPR

Penk Valley Academy Trust recognises the serious issues that can occur as a consequence in failing to protect an individual adult's or child's personal and sensitive data. These include emotional distress, physical safety, child protection, loss of assets, fraud and other criminal acts.

Penk Valley Academy Trust is therefore committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA)/GDPR.

**Penk Valley Academy Trust** will be referred to as **PVAT** for the remainder of the document which includes all schools who are members of PVAT, business operations and centralised services.

# PRIVACY NOTICE FOR JOB APPLICANTS

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## Introduction

Under 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 school. It also explains your right to raise concerns or complaints about how your personal data is handled.

Our Trust, Penk Valley Academy Trust, Cannock Road, Penkridge, Staffordshire, ST19 5RX, 01785 788400, is the 'Data Controller' for the purposes of data protection law.

Our Data Protection Officer is Schools DPO.

## 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

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.

## 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 purpose

We will not use or share your personal data for marketing purposes.

## 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 in order 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 section 3 above are as follows:

- For the purposes of 3a, b, c and d above, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out in 'Keeping Children Safe in Education' and the 'Equalities Act 2010'.
- For the purposes of 3a, c and d above, in accordance with the 'consent' basis – we will obtain consent from you to use your personal data
- For the purposes of 3a, b, c and d, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us

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.

**Please note:**

The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment and responsibility. Applicants will be required to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service.

All staff working for PVAT during the school day will have contact with children and will therefore be in regulated activity.

The post is exempt from the Rehabilitation of Offenders Act 1974 and the School is therefore permitted to ask job applicants to declare all convictions and cautions (including those which are "spent" unless the are "protected" under the DBS filtering rules) in order to assess their suitability to work with children.

## 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 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 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 Schedule gives full information on what information is stored, how it is kept, for how long it is retained, and how it will be disposed when it is no longer required.

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 data protection law), we may share personal information about you with:

- The local authority– 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

## 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).

If you are dissatisfied with how your request has been handled, you have the right to make a complaint to PVAT or to the Information Commissioner's Office (ICO).

### Your other rights regarding your data

Under 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
- In certain circumstances, be notified of a data breach
- Make a complaint to PVAT or 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).

## Complaints

We take any concerns about our collection and use of personal information very seriously.If you have concerns about how we handle your personal data, you have the right to make a complaint to PVAT.

To help us investigate your concern quickly and efficiently, complaints should be submitted using our online form:

LINK TO ONLINE FORM

However, complaints can be made in any format, including by email, post, telephone or in person, and will be accepted regardless of how they are submitted.

We will acknowledge your complaint within 30 calendar days and investigate it without undue delay in accordance with Section 21 (Data Protection Complaints) of our Data Protection Policy.

You also have the right to make a complaint to the Information Commissioner's Office (ICO) at any time:

Report online: https://ico.org.uk/make-a-complaint/
Telephone: 0303 123 1113
Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Contact us

We have appointed an external Data Protection Officer (DPO) who oversees our compliance with data protection legislation.

Day-to-day data protection matters, including initial queries and concerns, are managed by our Data Protection Lead (DPL).

If you have any questions, concerns, or would like more information about this privacy notice, please contact the DPL in the first instance at:
DPO@penkvalley.co.uk