

Privacy notice

Job applicants

1. Job applicants' privacy notice

Under data protection law, individuals have a right to be informed about how the Trust uses any personal data 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 the Trust.

We, the North East Learning Trust are the 'data controller' for the purposes of data protection law.

This notice should be read alongside the Trust's data protection policies and is intended to meet the transparency requirements of the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Data (Use and Access) Act 2025 and the Information Commissioner's Office (ICO) guidance on the right to be informed. For recruitment and safeguarding checks, we also take account of statutory safer recruitment guidance, including Keeping Children Safe in Education. This privacy notice applies to the recruitment process up to the point at which a candidate is either unsuccessful or becomes part of the Trust workforce. After the recruitment process is complete, successful candidates should refer to the privacy notice for the school workforce for information about how their personal data is collected, stored and used as an employee or worker. Successful candidates will receive a copy with the conditional offer letter or as part of onboarding.

Summary: completion of the recruitment process

At the end of the recruitment process, applicants will either be notified that they have been unsuccessful or, if appointed, will move into the Trust's workforce onboarding process. For unsuccessful applicants, recruitment information will be retained only for the period set out in the Trust's Records Management Policy and Retention Schedule, unless a longer period is needed to respond to a query, complaint or legal requirement. For successful applicants, relevant recruitment information may be transferred to their personnel file and will then be handled in line with the workforce privacy notice.

2. The personal data we hold

We process data relating to those applying to work within the Trust. 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
- Information required for safer recruitment and pre-employment checks, which may include identity checks, right to work checks, qualifications, references, online searches for shortlisted candidates, Disclosure and Barring Service (DBS) checks, barred list checks, prohibition checks and overseas checks, where applicable
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships

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
- Disability and access requirements
- Health information where this is needed to consider reasonable adjustments, occupational health, fitness to work or safeguarding requirements

Where required for safer recruitment, we may also process information relating to criminal convictions, cautions or related safeguarding checks in line with data protection law and our safeguarding obligations.

3. Why we use this data

The purpose of processing this data is to aid the recruitment process by:

- Enabling us to establish relevant experience and qualifications
- Facilitating safer recruitment and meeting our safeguarding obligations towards pupils, including appropriate pre-employment checks before appointment
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates that require them

4. 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:

- Comply with a legal obligation
- Carry out a task in the public interest
- Take steps at your request before entering a contract, for example when managing your application and communicating with you during the recruitment process

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.

Where we process special category data, such as disability, health or equalities monitoring information, we will identify both a lawful basis under Article 6 UK GDPR and a separate condition under Article 9 UK GDPR. Where required, we will also meet the relevant conditions and safeguards in Schedule 1 of the Data Protection Act 2018. Where we process criminal offence data for safer recruitment purposes, this will only be where authorised by law and necessary for our safeguarding and employment checks.

5. Collecting this information

While the majority of the information we collect from you is mandatory, there is some information that you can choose whether or not 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.

We may also collect information from other sources during recruitment, such as referees, previous employers, professional bodies, the Disclosure and Barring Service, the Teaching Regulation Agency, recruitment agencies and publicly available information where this is relevant to safer recruitment and is proportionate.

6. How we store this data

Personal data we collect as part of the job application process is stored in line with the Trust's Records Management Policy and Retention Schedule.

For unsuccessful candidates, recruitment records will be retained only for as long as necessary to manage the recruitment process, respond to queries or complaints, and meet legal or audit requirements, in accordance with the Trust's Records Management Policy and Retention Schedule. For successful candidates, relevant recruitment information may be transferred to the personnel file after the recruitment process is complete.

When it is no longer required, we will delete your information in accordance with the Trust's Records Management Policy and Retention Schedule. A copy of this policy is available from the Data Protection Officer (dpo@nelt.co.uk).

7. 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:

- 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
- Regulatory, safeguarding and statutory bodies where required, such as the Disclosure and Barring Service, Teaching Regulation Agency, local authority, police or other public bodies

8. Transferring data internationally

We routinely store and process personal data within the UK and the European Economic Area (EEA). Where it is necessary for personal data to be transferred outside the UK, we will ensure that appropriate safeguards are in place in accordance with UK data protection law. This may include the use of adequacy regulations, the UK International Data Transfer Agreement, the UK Addendum to the EU Standard Contractual Clauses, or other lawful transfer mechanisms.

9. Your rights

How to access the personal information we hold about you

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust 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 a 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 our data protection officer.

10. Your other rights regarding your data

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

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than 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 our Data Protection Officer.

11. 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.

Where a complaint is received, we will acknowledge it, consider the information provided, review the relevant records and explain the outcome to you as soon as reasonably practicable. We may need to ask you for further information so that we can understand and investigate the concern properly. If the complaint relates to an ongoing recruitment process, we will consider whether any immediate action is needed to ensure the process remains fair, transparent and compliant with data protection law.

If you are not satisfied with how we have handled your concern or complaint, you have the right to make a complaint to the Information Commissioner's Office:

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

12. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact hr@nelt.co.uk. Alternatively, you can contact the Trust Data Protection Officer, Shelley Mitchinson, at dpo@nelt.co.uk.