



Privacy notice for candidates applying to Folio trust or to one of its subsidiaries or schools i) to become employees or ii) to volunteer as a local school governor or as a trustee of the multi-academy trust

This document gives you detailed information about how we use your personal data and complies with the Data Protection Act 2018 and the EU General Data Protection Regulations.

As part of our candidate application and recruitment process the Folio Trust (the “Trust”) collects, processes and stores personal information about you. We process this information for a range of purposes relating to the recruitment process and this may include your application, assessment, pre-employment screening, and transition to become an employee, governor or trustee. This document sets out:

- i. Why we collect your personal information;
- ii. What information is collected and;
- iii. How it is processed within the recruitment process.

Throughout this Privacy Notice we use the term “processing” to cover all activities involving your personal information, including collecting, handling, storing, sharing, accessing, using, transferring and disposing of the information.

1) Why do we collect and process your personal information?

Your data is processed for the following reasons:

- Assessing your suitability as a candidate for the role for which you are applying
- Complying with our policies on safer recruitment and on any laws on recruiting for those working with children or working in a governance capacity within education
- Complying with the law on data-sharing

Depending on the role you are applying for and in order to conduct our recruitment process, we are required by law to comply with safe recruitment policies for those working with children. Therefore, we must process data about you such as criminal checks. There are other types of data that we must process in our function performing the public task of education, such as processing data about your qualifications. For other types of personal data, it is in our legitimate interest to process your data to be able to assess you as a candidate for the role you have applied for, such as in pre-screening assessments that we may ask you to complete. If you do not provide us with the required data, we may be unable to consider your application.

We also use CCTV for security and the prevention of crime and management of behaviour on our premises and if you are invited to attend for an interview at one of our sites, your image or audio may be recorded for this purpose.

The data that we require about you includes some sensitive data.

*Sensitive data that we **must** know about*

- We operate in the public interest to educate children. We must be certain that you are able to perform in your role and have a legitimate interest in processing health-related information for potential employees to enable us to do that.
- We must also provide the right level of care and support for all of our pupils and ensure that they are safe. The data that we require about you includes some sensitive data, which you **must** tell us about, for example, about criminal convictions or police cautions. If we were unable to store or process this information, we would be unable to assess your suitability to work with children or to perform a voluntary governance role with us and we would be unable to ensure the safety of our pupils.

*Sensitive data that you **do not have to share** with us*

- Some sensitive data is shared with us **optionally** e.g. ethnicity. This data is held and processed only because you have agreed to share this data with us.
- You can change your mind at any time and you can request for it to be deleted.

In order to manage your application at different stages, we process personal information about you as set out below. We only process your information as necessary for the purposes of progressing your application or as required by law or regulatory requirements, so not all of the purposes set out below will apply to you all of the time.

- Application: CV or application form, name, address, employment history, academic and professional qualifications, age, diversity (i.e. gender, ethnicity, disability, sexual orientation), nationality, previous disciplinary matters, parents' educational attainment, eligibility for free school meals – and in the case of an application for our volunteer governance roles, we may request the names and ages of any of your children attending our schools as well as any other outside interests, directorships or positions etc;
- Assessment: CV or application form, psychometric tests (such as a situational judgement test, ability or personality test), interview (face to face, telephone or video), behavioural assessments (such as a role play, group exercise or presentation), technical assessments;
- Pre-employment screening: criminal records check

2) What personal information might we process about candidates?

The personal data that we hold about you may include:

- Personal details, including names, date of birth, photograph and National Insurance number
- Education and work history including professional qualifications and skills;
- Employer feedback / references to include regulated references where necessary;
- Nationality / visa / right to work permit information; (e.g. passport, driving licence, National Insurance numbers)
- Images and audio from recorded assessments or from on-site CCTV;
- Results of pre-employment screening checks (e.g. credit history, criminal records check where permitted under local law)
- Assessment results e.g. psychometric assessment results, results from on-site testing and video or telephone assessment
- Personal characteristics such as ethnic group, religion, disability, medical impairments, safeguarding self-declaration and DBS status. **Information about your ethnicity or religion is optional and you can ask for this information to be removed from our files.**
- Employment contracts and remuneration details
- Qualifications
- Attendance and absence information as well as performance and disciplinary records
- Biometric data in the form of a numerical code that represents your fingerprint to enable you to use our cashless catering service. **This data is optional. This data is not shared externally and is held within the school on school systems. If you prefer, you can be issued with a code or card to use our cashless**

catering service.

During the process we may also capture some additional sensitive personal data about you (e.g. disability information). We do this in order to make reasonable adjustments to enable our candidates to apply for jobs with us, to be able to take online/telephone assessments, to attend interviews/assessment centres, to prepare for starting at the Trust (if successful) and to ensure that we comply with regulatory obligations placed on us with regard to our hiring.

3) Who do we share your personal information with?

The Trust will need to share your personal information internally (both in the country where you may work and in other countries in the case where we use 3rd party systems that are hosted overseas, such as Google). We may also be required to share it with some external parties such as the Department for Education (DfE) or local authority. For volunteer governance roles only, if you are successful, it is likely that some of your information (name, previous name, postcode, date of birth, Folio email address, date of appointment) will be shared securely with the DfE "Get Information About Schools" private database in light of our legal obligations to the DfE and ESFA. Name and appointment information will also be shared with GIAS for their public online interface where any member of the public can search for the names of those involved with school governance. These third parties and associates will be located within the United Kingdom. Your information will only be shared if it is necessary or required (for example in order to carry out pre-employment screening).

The recruitment process will involve:

- Assessing and progressing your application,
- Assessing your suitability (skills, strengths, behaviours for the role)
- Activities needed to complete the on-boarding and screening process should your application be successful.

To enable these processes your personal information may be shared internally, but the information shared is limited to what is required by each individual to perform their role in the recruitment process.

Your personal information may be shared internally with the following people:

- Those employees who would have managerial responsibility for you or are acting on their behalf;
- Employees involved in HR who have responsibility for certain HR processes (for example administration, recruitment, assessment, pre-employment screening);
- Employees in the Trust whose roles may include responsibility for investigating issues of non-compliance with laws and regulations, policies and contractual requirements;
- Employees in IT and system owners who manage user access;
- Audit and investigations employees in relation to specific audits/investigations; and
- Security managers for facilities / premises.

The Trust may also need to share your information with certain external third parties including:

- Companies who provide candidate interview and assessment services to the Trust;
- Suppliers who undertake background screening on behalf of the Trust (credit checking agencies, criminal checking services, etc.)
- Academic institutions (Universities, colleges, etc.) in validating information you've provided
- Other third-party suppliers (or potential suppliers), who provide services on our behalf.
- Department for Education or other Government departments as necessary

4) Where is my data stored? How do we protect your information?

Some of the data we process is stored on school systems only. Some data may be stored on the systems of organisations that we share data with, which includes cloud-based service providers. We always enquire from those that we share data with about the processes and policies that providers have in place to ensure that data held on their systems is protected.

Our HR and recruitment systems are protected to ensure that unauthorised or unlawful processing of personal information, accidental loss or destruction of, or damage to, personal information does not occur. This is done in accordance with the Trust's data protection policy, which is available for download on the Trust web site.

Where we share information with other parties located outside your country, as a minimum, we will require that such personal information is protected as required by the laws of the country where you work. We also third party suppliers or recipients of personal information to guarantee the same level of protection as provided by the Trust. Your personal information will be retained in accordance with the Trust's policy on data retention, which is in accordance with the Information & Records Management Society (IRMS). This means that we may hold some information after your application to the Trust is complete for a fixed period of time, after which it will be deleted, if your application is unsuccessful, or retained as part of your personnel file, if your application is successful.

We follow the guidance of the Information & Records Management Society (IRMS) in determining our data retention policies. Please contact our Data Protection Officer for further information.

5) What rights do you have in relation to your data?

Folio Education Trust is the Data Controller. You have a right to access personal information that we hold about you and can do this by contacting the Data Protection Officer (Sabin Qureshi) using dpo@foliotrust.uk.

You also have the following rights in addition to access:

- The right to be informed about how your data is used and why. This is the objective of this notice.
- The right to rectification of incorrect or incomplete data held about you.
- The right to erase data if there is no compelling reason for it to be held.
- The right to restrict processing of your data where there is an unresolved dispute about the data.
- The right to object to your data being processed due to your particular situation, if there is no compelling legitimate reason for your data to be processed.
- Rights in relation to automated decision making and profiling.
- Please contact our Data Protection Officer if you wish to exercise your rights or wish to make a complaint about data-handling. You may also approach the Information Commissioner's Office (ico.org.uk) with your concern.

As this document is updated, the current versions will be posted on the Trust web site.

6) Screening checks

As part of the Selection process, the Trust performs a number of screening checks, where permitted by local law. These checks are only performed on candidates who have been selected for a role. Your consent will be requested before screening checks are performed.

7) Criminal records checks

Given the nature of our business, we have legal and regulatory obligations to ensure that the people we employ can be relied upon to behave responsibly around children and understand appropriate safeguarding policies and procedures. We therefore ask questions about any prior civil or criminal proceedings you may have been subject to and may also conduct criminal record checks.

8) Safeguarding screening

In order to comply with our legal and regulatory obligations in relation to safeguarding restrictions, we will screen your name against restricted lists. The screening will simply involve searching to ensure you are not on a restricted list. We are not able to employ anyone on a restricted list.

9) Processing Conditions

The Trust's entitlement to process your personal information is governed by a number of processing conditions. This means that we may rely on more than one of these conditions in order to process elements of your personal information throughout the recruitment process.

- The Trust will process your personal information in the administration of your application. As we work in the public interest to provide education, welfare and pastoral support to children and young people, we perform a task which serves the public interest and would be unable to undertake that task, if we were unable to recruit employees who were vetted to the appropriate level for working with children, as is required by the law.
- The Trust will also process your personal information where it is in the legitimate interests of the applicant or the Trust. This processing will always be fair, lawful and transparent (through this Notice) and will at all times comply with the principles of applicable privacy laws in the country within which you will be employed
- During the course of your application it may also be necessary for the Trust or its suppliers to process your sensitive personal information. This processing will be carried out on the basis of your express consent which is captured as part of the recruitment process. If you decide you no longer consent to this processing, please contact us to let us know and we will stop processing your sensitive personal information, however, you should be aware that we may then be unable to consider you for the role.

Schedule 1: Full list of information we may process

- Name, work and home contact details
- Date and place of birth
- Education and work history
- Individual demographic information in compliance with legal requirements (such as marital status, national identifier, passport/visa information, nationality, citizenship, military service, disability, work permit, date and place of birth or gender)
- Health issues requiring adaptations to working environment
- Job title, grade and job history
- Employment contract related information (including compensation, location, hours of work and so on)
- Reporting and managerial relationships
- Parental and family relationships as well as any outside interests (for volunteer governance roles only)
- Leaves of absence (such as maternity leave, sickness absence)
- Photograph(s)
- Disciplinary / grievance records
- Time and attendance details
- Bank account details for salary payment purposes (for non-volunteer roles only)
- Skills and qualifications
- Training history and plans
- Results of original and ongoing employee screening, where relevant (see section 6)
- Details provided in relation to conduct policies (such as conflicts of interest, personal account dealing, trade body membership and so on)
- Health & safety incidents, accidents at work and associated records
- Building CCTV images and audio
- Audio recordings of telephone interviews
- Video and/or audio recordings of interviews
- Notes from face to face interviews
- Psychometric test results and associated reports

- Results from behavioural assessments (e.g. assessment centre exercises)
- Results from technical assessments