

Privacy notice – how the trust uses referees’ information

The Aspire Educational Trust and its academies are joint data controllers for the use of personal data in this privacy notice.

This privacy notice advises referees of the trust’s data protection responsibilities on the collection and processing of their personal information.

We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

The categories of referee information that we process include:

The personal data we hold regarding you can include, but is not limited to, information such as:

- Personal information – e.g. name, contact details and address
- Information relating to your job role – e.g. company/institution name, job title and responsibilities
- Assessment of a prospective employee’s character – e.g. how long you have known them and, where appropriate, their performance
- Your relationship to the applicant – e.g. former employer, relative or other

Why do we collect and use your information?

We collect and use your information for the following purposes:

- a) To facilitate safer recruitment
- b) To review our recruitment performance

Under the UK GDPR, the legal basis/bases we rely on for processing your personal information as a referee are:

- For the purposes of (a) to comply with a legal obligation
- For the purposes of (a) and (b) to carry out a task in the public interest.

Legal obligation

We need to process data to ensure that we are complying with our legal obligations. Safer recruitment procedures in schools require appropriate checks to be made on persons seeking employed or voluntary roles within schools. Seeking references is one of the listed requirements in the statutory guidance for schools and colleges [Keeping Children Safe in Education](#).

Disclosing information to third parties such as the courts or the police where we are legally obliged to do so is also included within this section.



Public interest

We consider that we are acting in the public interest when providing education. Specifically, we have a public interest in:

- Fulfilling our safeguarding obligations.
- Managing the school efficiently.

Special categories of personal data

We must also comply with an additional condition where we process special categories of your personal data. These special categories include personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation. Data relating to criminal offences is also given similar protection.

Special category personal data and sensitive information are processed in accordance with [GDPR - Article 9](#) and documented on our data asset register.

- For the purpose of (a) in accordance with the lawful basis of carrying out the legal obligations and exercising specific rights of the controller in the field of employment.

For special category data, we also rely on the following conditions under Article 9 of the UK GDPR:

How do we collect your information?

We collect your personal information via the following methods:

- Aspire Educational Trust Reference Pro-forma

The collection of data via referees is essential for the trust's operational use and to achieve safer recruitment. The information you provide us with is requested on a voluntary basis. The information we collect from you is kept to a minimum in order to avoid overly burdensome reference checks and to respect your privacy. To comply with the UK GDPR, we will inform you at the point of collection whether you are required to provide certain information to us or if this is optional.

How do we store your information?

We create and maintain a file for references received. The information contained in this file is kept secure and is only used for purposes directly relevant to ensuring that a reference is satisfactory.

Your personal information is retained and disposed of in line with the trust's Records Management Policy, which can be found [here](#) on the trust's website.

For more information about how we securely store your information, please see the trust's Data and Cyber-security Breach Prevention and Management Plan, which can be found [here](#) on the trust's website.

Who do we share your information with?

Data obtained via a reference proforma will only be shared with those who are involved in the recruitment process. The trust and its schools will not share data with anyone who has no reason to access it, including the person for whom the reference is for.

Why do we share your information?

We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so.

Any information we share with other parties is transferred securely and held by the other organisation in line with their data security policies.

What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information we hold about you.
- Ask to correct any incomplete or inaccurate data.
- Withdraw your consent to process your personal data at any time.
- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.
- Complain to the ICO.

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the trust's administrator abroadhurst@aet.cheshire.sch.uk or the trust's data protection officer at dpo@aet.cheshire.sch.uk.

If you are concerned about the way we are collecting or using your information, please raise your concern with the trust's DPO at dpo@aet.cheshire.sch.uk in the first instance. You can contact the ICO at <https://ico.org.uk/concerns/>.

How to withdraw consent and lodge complaints

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the trust's administrator abroadhurst@aet.cheshire.sch.uk or the trust's data protection officer at dpo@aet.cheshire.sch.uk

Updating this privacy notice

We may need to update this privacy notice periodically if we change how we collect and process data. We recommend that you revisit this privacy notice periodically.

This privacy notice was last updated on 6th March 2022.

How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact:

Trust's administrator A. Broadhurst or **the Trust's Data Protection Officer L. Treadway**

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If you require further information about how we store and use personal data, please visit our [trust website](#) where our policies, including our Data Protection Policy and Records Management Policy, can be downloaded.