

## Job Applicant Privacy Notice 2018-19

*The New Collaborative Learning Trust (NCLT) vision is to create a culture of protecting privacy and personal data. Personal data is information which 'relates to and identifies a living individual'. Personal data should be adequate, relevant and limited to what is necessary.*

### DATA CONTROLLER AND COLLECTION

The organisation responsible for looking after your personal data (Data Controller) is the New Collaborative Learning Trust. As part of any recruitment process, the organisation collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### WHAT INFORMATION DOES THE ORGANISATION COLLECT?

The organisation collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience, training and employment history (and results for teaching staff);
- information about your current level of remuneration and details of referees;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK, confidential disclosures, and other necessary vetting checks (if appointed);
- equal opportunities monitoring information, including information about your age, gender, ethnic origin, sexual orientation, health, marital status and religion or belief.

The organisation collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment. The organisation will also collect personal data about you from third parties, such as references supplied by former employers, prohibition checks, information from employment background check providers and information from criminal records checks. The organisation will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so. References may be sought in advance if you have given your permission to do so.

Data will be stored in a range of places, including on your application record, HR management systems and other IT systems (including email).

### WHY DOES THE ORGANISATION PROCESS PERSONAL DATA?

The organisation needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you. In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The organisation has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide who to offer a job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

The organisation processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment. Where the organisation processes other special categories of data, such as information about age, gender, ethnic origin, sexual orientation, health, marital status and religion or belief, this is for equal opportunities monitoring purposes.

As an educational establishment, we are obliged to seek information about criminal convictions and offences and we do so because it is necessary for the organisation to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, the organisation will keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before we keep your data for this purpose and you are free to withdraw your consent at any time.

### WHO DO WE SHARE INFORMATION WITH?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy, former employers to obtain references and IT staff if access to the data is necessary for the performance of their roles. The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with employment background check providers to obtain necessary background checks, organisations to make a health and work assessment, and the Disclosure and Barring Service to obtain necessary criminal records checks. The organisation will not transfer your data outside the European Economic Area.

### STORING DATA

The organisation takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

If your application for employment is unsuccessful, the organisation will hold your data on file for 12 months after the end of the relevant recruitment process. If you agree to allow the organisation to keep your personal data on file, the organisation will hold your data on file for a further (3 years) for consideration for future employment opportunities. At the end of that period (or once you withdraw your consent), your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

### REQUESTING ACCESS TO YOUR PERSONAL DATA

Under data protection legislation staff have the right to request access to information about them that we hold. To make a request for this, please email [human.resources@nclt.ac.uk](mailto:human.resources@nclt.ac.uk) who will process the request in partnership with the NCLT's Data Protection Officer. You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the Data Protection regulations
- make a subject data access request (please see link on website)

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

**DATA PROTECTION OFFICER**

If you would like to discuss, or require clarification regarding this privacy notice, please contact the NCLT Data Protection Officer. Enquiries can be forwarded to [data.protection@nclt.ac.uk](mailto:data.protection@nclt.ac.uk) or by calling 01977 802139.