

## JOB APPLICANT PRIVACY NOTICE

**Data controller:** Marketing and Development Director. [lhsconfidential@caw.ac.uk](mailto:lhsconfidential@caw.ac.uk)

### **Deputy Data Protection Coordinators:**

- Human Resources Manager – Employees, workers, employed apprentices.

As part of any recruitment process, the College collects and processes personal data relating to job applicants. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **What information does the College collect?**

The College 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 and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the College needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

The College 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, including online tests.

The College will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks.

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

### **Why does the College process personal data?**

The College 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 College 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 College 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 College to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The College may also need to process data from job applicants to respond to and defend against legal claims.

Where the College relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The College 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 College processes other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equal opportunities monitoring with the explicit consent of job applicants, which can be withdrawn at any time.

For some roles, the College is obliged to seek information about criminal convictions and offences. Where the College seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

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

### **Who has access to data?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

The College will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The College will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

The College will not transfer your data outside the European Economic Area.

### **How does The College protect data?**

The College 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 by;

- storing Data on an appropriately secure systems

- training all our staff in their data protection responsibilities
- working with reputable companies for data processing services who are data protection compliant and who enter into appropriate data sharing agreements

and through our:

- Confidentiality Policy
- e-Safety Safeguarding Arrangements 2018
- Data Protection Policy and Procedure May 2018
- Computer Misuse Intellectual Property February 2018
- Internet and Email Usage Policy February 2018

Where the College engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and procedural measures to ensure the security of data.

### **For how long does the College keep data?**

If your application for employment is unsuccessful, the College will hold your data on file for 12 months after the end of the relevant recruitment process. If you agree to allow the College to keep your personal data on file, the College will hold your data on file for a further 6 months for consideration for future employment opportunities. At the end of that period, 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.

### **Your rights**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the College to change incorrect or incomplete data;
- require the College to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the College is relying on its legitimate interests as the legal ground for processing; and
- ask the College to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the College's legitimate grounds for processing data.

You can make a subject access request by completing the College's form; Appendix 1.

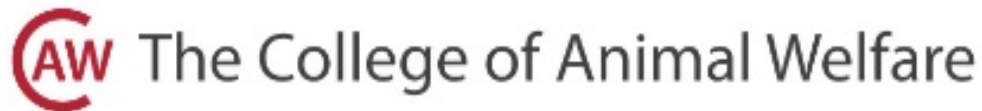
If you believe that the College has not complied with your data protection rights, you can complain to the Information Commissioner.

### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to the College during the recruitment process. However, if you do not provide the information, the College may not be able to process your application properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

**APPENDIX 1**



**STANDARD REQUEST FORM FOR ACCESS TO DATA**

By completing this form, you are making a request under the General Data Protection Regulation (GDPR) for information held about you by the College that you are eligible to receive.

<b>Name:</b>	
<b>Daytime Telephone Number:</b>	
<b>Email:</b>	
<b>Address:</b>	
<b>Position applied for:</b>	

**Required information (and any relevant dates):**

Example: Emails in which I am identifiable sent between person A and person B from 1 January 2017 to 31<sup>st</sup> March 2017.

By signing below, you indicate that you are the individual named above. The College cannot accept requests regarding your personal data from anyone else, including family members. We may need to contact you for further identifying information before responding to your request. You warrant that you are the individual named and will fully indemnify us for all losses, cost and expenses if you are not.

Please return this form to the Human Resources Manager, Kim James. Please allow 28 days for a reply.

<b>Data Subject Signature:</b>	
<b>Date:</b>	