

GDPR Candidate Privacy Notice (UK)

WHAT IS THE PURPOSE OF THIS DOCUMENT?

Newcastle & Stafford Colleges Group is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

Our Data Protection Officer is John Prescott. If you have any questions about this policy or the ways in which we use your personal information, please contact our Data Protection Officer at Newcastle-under-Lyme College, Knutton Lane, Newcastle-under-Lyme, Staffordshire, ST5 2GB / Tel. 01782 254275 / e-mail. john.prescott@nscg.ac.uk.

DATA PROTECTION PRINCIPLES

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

THE KIND OF INFORMATION WE HOLD ABOUT YOU

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications, DofE number, NI number; current employment details including job title, start and end dates, current salary, notice period, reason for leaving; all past employment details; education details; interests; whether you are related to any personnel of the College or Governing Body; references; special arrangement details for interview; criminal record details; Disclosure Barring Service check, including European Economic Area (EEA) check; Prohibition from Management check; Prohibition from Teaching check; Check of Barred List/List 99; Pre-employment Health Questionnaire/Medical Report.

- Any information you provide to us during an interview.
- Test and interview scoring documentation.

We may also collect, store and use the following types of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs and sexual orientation.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates from the following sources:

- You, the candidate.
- Access Screening and the Disclosure and Barring Service in respect of criminal convictions.
- Vacancy Filler (recruitment software), to facilitate our online application and recruitment process
- Your named referees, from whom we collect the following categories of data: Dates of employment, job title, Salary, main duties, how long you have been known to the referee, absence information, reason for leaving, disciplinary action and Safeguarding information.

HOW WE WILL USE INFORMATION ABOUT YOU

We will use the personal information we collect about you in our legitimate interests to:

- Assess your skills, qualifications, and suitability for the work or role.
- For safeguarding students
- For checking your identity and right to work in UK
- Communicate with you about the recruitment process.
- To keep an audit trail of the checks we have made and our relationship with you in case of employment claims.
- Comply with legal or regulatory requirements.
- Decide whether you meet our requirements to be shortlisted for the role
- Decide whether your application is strong enough to invite you for an interview.
- Determine whether or not to make an offer, or a conditional offer, to employ you or engage you to work personally for us and to decide whether to enter into a contract [of employment] with you
- Decide whether to take up references and **or** require you to complete a criminal record check with Access Screening and the Disclosure and Barring Service
- Decide whether to carry out any other reasonable and necessary checks before confirming your appointment.

We treat your personal information with confidentiality and we do not use it for any other purposes.

If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit or criminal record check or references for this role or proof of qualifications and you fail to provide us with relevant details, we will not be able to take your application further.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made, for example, during a test or interview.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the work or role (conditional on checks and any other conditions, such as references, being satisfactory).

We are required to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

In particular, we are legally required to carry out criminal record checks to determine an applicant's suitability to work with children.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

AUTOMATED DECISION-MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

DATA SHARING

Why might you share my personal information with third parties?

We will only share your personal information with the following third parties for the purposes of processing your

application:

Organisation / type of organisation: Vacancy Filler

Purpose: To facilitate the College's online application / recruitment process.

Organisation / type of organisation: Access Screening / Disclosure & Barring Service

Purpose: To facilitate new starter DBS Checks.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

DATA RETENTION

How long will you use my information for?

If you are unsuccessful in your application we will retain your personal information for a period of 12 months after we have communicated to you our decision. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.

If you are offered and accept and contract of employment or some other contract to engage you to work personally for us, we may retain your information for more than 12 months in so far as we need it for lawful reasons during or after your contract with us has ended. You will be provided with a separate privacy notice for employees and workers when you are offered a contract with us together with details of our data retention policy as it applies at that time.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact John Prescott in writing.

RIGHT TO WITHDRAW CONSENT

When you applied for this role, you provided consent to us processing your personal information for the purposes of the recruitment exercise.

You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact John Prescott. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

RIGHT TO COMPLAIN

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

