

# Abbey Gate College

## Whole School

### Data Protection Privacy Notice (Recruitment)



**Reviewed:** November 2018 (JL/RMU)  
**Governor Review:** November 2018 (FT)  
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Authorised and approved on behalf of the Board of Governors by:



**Mrs F. Taylor - Chair of Governors**  
**The Scope of the Handbook**

This Notice explains what personal data (information) we will hold about you, how we collect it, and how we will use and may share information about you during the application process. We are required to notify you of this information, under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

#### Who collects the information

Deeside House Educational Trust Ltd (the 'Company') trading as Abbey Gate College is a 'data controller' and gathers and uses certain information about you. In this notice, references to 'we' or 'us' mean the Company/College.

#### Data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our *data protection privacy notice (relating to employment) policy*.

#### About the information we collect and hold

##### What information

We may collect the following information up to and including the shortlisting stage of the recruitment process:

- Your name and contact details (i.e. address, home and mobile phone numbers, email address);
- Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- Information regarding your criminal record;
- Details of your referees.

We may collect the following information after the shortlisting stage, and before making a final decision to recruit:

- Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers ;
- Information regarding your academic and professional qualifications ;
- Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs) ;
- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information ;
- A copy of your driving licence (where applicable) .

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked '' above to us to enable us to verify your right to work and suitability for the position.

### **How we collect the information**

We may collect this information from you, your referees (details of whom you will have provided), your education provider, the relevant professional body, the Disclosure and Barring Service (DBS) **via Atlantic Data DBS Service**, the Home Office.

### **Why we collect the information and how we use it**

We will typically collect and use this information for the following purposes (other purposes that may also apply are explained in our *data protection policy*):

- to take steps to enter into a contract;
- for compliance with a legal obligation (e.g. our obligation to check that you are eligible to work in the United Kingdom);
- for the performance of a task carried out in the public interest; and
- for the purposes of our legitimate interests, but only if these are not overridden by your interests, rights or freedoms.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

### **How we may share the information**

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.

Sensitive personal information and criminal records information.

Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our *Criminal Records Information Policy*, available in this Data Management Handbook.

The table set out in Part A of the Schedule below summarises the information we collect and hold up to and including the shortlisting stage of the recruitment process, how and why we do so, how we use it and with whom it may be shared.

The table in Part B of the Schedule below summarises the additional information we collect before making a final decision to recruit, i.e. before making an offer of employment unconditional, how and why we do so, how we use it and with whom it may be shared.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

### **Where information may be held**

Information may be held at our offices and those of our group companies, and third party agencies, service providers, representatives and agents as described above.

### **How long we keep your information**

We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment. For further information, see *our data protection privacy notice (relating to employment)*.

Further details on our approach to information retention and destruction are available in our records retention policy *or data protection policy that gives these details*.

### **Your rights to correct and access your information and to ask for it to be erased**

Please contact our Data Protection Officer (DPO)/Bursar who can be contacted via email, phone or face to face during working hours if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you or if you have any questions about this notice. You also have the right to ask our Data Protection Officer/Bursar for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. Our Data Protection Officer/Bursar will provide you with further information about the right to be forgotten, if you ask for it.

### **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

## **How to complain**

We hope that our Data Protection Officer / Bursar can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

THE SCHEDULE  
[ABOUT THE INFORMATION WE COLLECT AND HOLD]

**Part A**  
**Up to and including the shortlisting stage**

<b>The information we collect</b>	<b>How we collect the information</b>	<b>Why we collect the information</b>	<b>How we use and may share the information</b>
<b>Your name and contact details (i.e. address, home and mobile phone numbers, email address)</b>	From you	Legitimate interest: to carry out a fair recruitment process  Legitimate interest: to progress your application, arrange interviews and inform you of the outcome at all stages	To enable HR personnel or the manager of the relevant department to contact you to progress your application, arrange interviews and inform you of the outcome  To inform the relevant manager or department of your application
<b>Details of your qualifications, experience, employment history (including job titles, salary, and working hours) and interests</b>	From you, in the completed application form and interview notes (if relevant)	Legitimate interest: to carry out a fair recruitment process  Legitimate interest: to make an informed decision to shortlist for interview and (if relevant) to recruit	To make an informed recruitment decision
<b>Your name, contact details and details of your qualifications, experience, employment history and interests</b>	From you, in the completed application form and interview notes (if relevant)	Legitimate interest: to carry out a fair recruitment process  Legitimate interest: if you are unsuccessful in your application, your details may be passed on to an associated company to see if they have any suitable vacancies	To see whether an associated company has any suitable vacancies
<b>Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs</b>	From you, in a completed anonymised equal opportunities monitoring form	To comply with our legal obligations and for reasons of substantial public interest (equality of	To comply with our equal opportunities monitoring obligations and to follow our equality and other policies

		opportunity or treatment)	For further information, see * below
<b>Information regarding your criminal record</b>	From you, in your completed application form	To comply with our legal obligations  For reasons of substantial public interest (preventing or detecting unlawful acts.	To make an informed recruitment decision  To carry out statutory checks  Information shared with DBS and other regulatory authorities as required  For further information, see * below
<b>Details of your referees</b>	From your completed application form	Legitimate interest: to carry out a fair recruitment process. In the regulated sector, to comply with our legal obligations to obtain regulatory references.	To carry out a fair recruitment process  To comply with legal/regulatory obligations  Information shared with relevant managers, HR personnel and the referee

## Part B

### Before making a final decision to recruit

<b>The information we collect</b>	<b>How we collect the information</b>	<b>Why we collect the information</b>	<b>How we use and may share the information</b>
<b>Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers <input type="checkbox"/></b>	From your referees (details of whom you will have provided)	Legitimate interest: to make an informed decision to recruit  To comply with our legal obligations  Legitimate interests: to maintain employment records and to comply with legal, regulatory and corporate governance obligations and good employment practice	To obtain the relevant reference about you  To comply with legal/regulatory obligations  Information shared with relevant managers and HR personnel

<b>Information regarding your academic and professional qualifications</b> <input type="checkbox"/>	From you, from your education provide, from the relevant professional body	Legitimate interest: to verify the qualifications information provided by you	To make an informed recruitment decision
<b>Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs)</b> <input type="checkbox"/>	From you and from the Disclosure and Barring Service (DBS)	To perform the employment contract To comply with our legal obligations Legitimate interest: to verify the criminal records information provided by you For reasons of substantial public interest (preventing or detecting unlawful acts.	To make an informed recruitment decision To carry out statutory checks Information shared with DBS and other regulatory authorities as required For further information, see * below
<b>Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information</b> <input type="checkbox"/>	From you and, where necessary, the Home Office	To enter into/perform the employment contract To comply with our legal obligations Legitimate interest: to maintain employment records	To carry out right to work checks Information may be shared with the Home Office
<b>A copy of your driving licence</b> <input type="checkbox"/> (where applicable)	From you	To enter into/perform the employment contract To comply with our legal obligations. To comply with the terms of our insurance	To make an informed recruitment decision To ensure that you have a clean driving licence Information may be shared with our insurer

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked '☐' above to us to enable us to verify your right to work and suitability for the position.

\* Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our Data Management Handbook.