

Privacy Statement - Applicants

Data controller: Newbury College, Monks Lane, Newbury RG14 7TD
Data protection officer: Mike Lewis, Finance Director

As part of any recruitment process, Newbury College collects and processes personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and meet our data protection obligations.

Please note that we will not necessarily hold, use or share all of the types of personal data described in this Privacy Notice in relation to you. The specific types of data about you that we will hold, use and share will depend on the role for which you are applying, the nature of the recruitment process, how far you progress in the recruitment process and your individual circumstances.

We are required by data protection law to give you the information in this Privacy Notice. It is important that you read the Privacy Notice carefully, together with any other similar or additional information that we might give you from time to time about how we collect and use your personal data. Should your application be successful, when you start work for us, we will provide you with another privacy notice that explains how we deal with your personal data whilst you are working for us.

This Privacy Notice applies from 25 May 2018, when the General Data Protection Regulation comes into force. It does not give you any contractual rights. We may update this Privacy Notice at any time.

What information does Newbury College collect?

Personal data means any information relating to a living individual who can be identified (directly or indirectly) in particular by reference to an identifier (e.g. name, NI number, employee number, email address, physical features). It can be factual (e.g. contact details or date of birth), an opinion about an individual's actions or behaviour, or information that may otherwise impact that individual in a personal or business capacity.

At the initial stages of recruitment, we collect, hold and use the following types of ordinary personal data about you:

- Information contained in your application form/CV/covering letter, including your name, title, contact details, employment history, experience, skills, qualifications/training (including educational, vocational, driving licences where appropriate), referees' names and contact details, etc.
- Publicly available information about you, such as your business social media presence
- Selection information, including correspondence, interview notes, internal notes, the results of any written or online selection tests
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

At interview stage, we will collect

- Identification to be able to complete a DBS application
- Right to work checks and related documents
- Verification of qualifications

Newbury College collects this information in a variety of ways. For example, data might be contained in application forms, CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including selection tests.

If you receive a conditional offer of employment, Newbury College will also collect and hold 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. We also collect information about your health in a pre-employment medical questionnaire and/or examination, as well as any information about underlying medical conditions and adjustments that you have brought to our attention. We use this information to assess whether you are fit to do the job with adjustments, to consider/arrange suitable adjustments and to comply with health and safety requirements.

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 Newbury College process personal data?

Newbury 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, Newbury 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.

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

Where the Newbury 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.

Newbury 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 Newbury College processes other special categories of data, such as information about key characteristics such as ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

Newbury College is obliged to seek information about criminal convictions and offences. Where Newbury 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.

Newbury College will not use your data for any purpose other than the recruitment exercise for which you have applied. Should you start work with us, a separate Privacy Policy will be issued, detailing the information we would need to hold.

Who has access to data?

Your information may be received through a recruitment website for example FE Jobs, your data is protected by their privacy statement.

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 and IT staff if access to the data is necessary for the performance of their roles.

Newbury 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 organisation 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 organisation will not transfer your data outside the European Economic Area.

How does Newbury College protect data?

Newbury 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. The recruitment portal is an external portal secure through password controls. Personal details are accessed by HR only, all other data is anonymised. The Recruitment Policy and Recruitment of Ex-Offenders Policy has details of process to follow.

For how long does Newbury College keep data?

If your application for employment is unsuccessful, Newbury College will hold your data on file for 1 year after the end of the relevant recruitment process. 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 Privacy Notice for employees.

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 organisation to change incorrect or incomplete data;
- require the organisation 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 organisation is relying on its legitimate interests as the legal ground for processing; and

ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact HR Department at hr@newbury-college.ac.uk or call 01635 845000. You can make a subject access request by completing the Newbury College's form for making a subject access request.

If you believe that Newbury 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 organisation during the recruitment process. However, if you do not provide the information, Newbury College may not be able to process your application properly or at all.

We only ask you to provide personal data that we need to enable us to make a decision about whether or not to offer you a role. If you do not provide particular information to us, then we will have to make a decision on whether or not to offer you a role without that information, which in some cases could result in us deciding not to recruit you. For example, if we ask you to provide *a certificate verifying a qualification* and you do not, we will have to decide whether to recruit you without that information. If you do not provide us with names of referees or a reference when asked, we will not usually be able to offer you the role. In addition, some of the personal data you provide to us is required by law. For example, if you do not provide us with the documentation we need to check your right to work in the UK, then we cannot by law employ you.

If you choose not to provide us with personal data requested, we will tell you about the implications of any such decision at the relevant time.

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.

Automated decision-making

Recruitment processes are not based solely on automated decision-making.