

## NCLT JOB APPLICANT PRIVACY NOTICE

**The New Collaborative Learning Trust 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.**

### **Who does this notice apply to?**

This privacy notice applies to anyone making an application for employment directly by the New Collaborative Learning Trust.

### **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.

### **Why do we collect and use applicant information?**

We process personal data in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). We collect and process personal data in relation to applicants to manage the applicant process. The organisation needs to process data to take steps at your request prior to entering 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 main legal basis for most staff information therefore falls under the following:

- **UK GDPR Article 6(1)b** - Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **UK GDPR Article 6(1)c** - Processing is necessary for compliance with a legal obligation to which the controller is subject

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. In addition to the above legal basis, processing of this special category information falls under the following:

- **UK GDPR Article 9(2)h** - Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services

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.

- **UK GDPR Article 10** – Processing is undertaken by an Official Authority

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. 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. You will retain the right to object to processing this information if you wish, and you should contact our HR department to make this request [central-human.resources@nclt.ac.uk](mailto:central-human.resources@nclt.ac.uk)

We do not undertake any other form of automated decision making.

### **Categories of applicant information**

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 confidential 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. We will also conduct online recruitment checks under the Keeping Children Safe in Education (KCSIE) 2023 guidance, on all shortlisted candidates.

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

### **Collecting applicant information**

Information is mostly provided by the applicant themselves through the application process. Some information is also likely to be provided by the applicant's nominated referees. Information about applicants is also provided by their previous employer(s), and in some cases, information is provided through the Disclosure and Barring Service.

### **Storing applicant 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. At the end of that period your data will be 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.

### **Who do we share applicant 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.

### **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 [central-human.resources@nclt.ac.uk](mailto:central-human.resources@nclt.ac.uk) who will process the request in partnership with the organisation's Data Protection Officer.

In most cases you also have the right to:

- object to processing of personal data
- object to decisions being taken by automated means
- request your information is transferred to another organisation
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed.

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

### **Contact**

If you would like to discuss, or require clarification regarding anything in this privacy notice, please contact the Trust Data Protection Officer by emailing [data.protection@nclt.ac.uk](mailto:data.protection@nclt.ac.uk), or by calling 01977 702139.