

NCLT JOB APPLICANT PRIVACY NOTICE

New Collaborative Learning Trust ensures personal data ('relating to an identifiable living individual') is only processed where there is a lawful basis to do so, observing the seven processing principles set out under the Data Protection Act and UK General Data Protection Regulation.

Who does this notice apply to?

This privacy notice applies to applicants 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. NCLT 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 UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. We collect and process personal data in relation to applicants to undertake the recruitment 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 applicant 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 ethnic origin, sexual orientation, health, 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, safeguarding and protecting children and individuals at risk.

- **UK GDPR Article 10 (and Schedule 1 of the Data Protection Act 2018)** – Processing of personal data relating to criminal convictions and offences

The organisation has lawful bases for 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

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) 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.

Automated Decision Making

We do not use automated decision making which would have legal or a similarly significant effect on an individual.

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. Your details will be placed in our Office 365 / IT Systems as necessary for the purpose of the application/recruitment process.

We may use recruitment services provided by third-parties to assist in the attraction and management of applicants. NCLT will not share your data with third parties, unless your application is successful and we make you an offer of employment. NCLT 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.

NCLT does not transfer personal data to countries outside the UK, European Economic Area or to other territories under circumstances not recognised by the Information Commissioner's Office (ICO). We will not pass your information to third parties for direct marketing purposes.

Your rights to your personal data

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. These are summaries below.

Legal Basis	Right under the Law						
	Informed	Access	Rectification	Erasure	Restriction	Portability	Objection
Consent Art.6(1)(a)	✓	✓	✓	✓	✓	✓	Withdraw consent
Contract Art. 6(1)b	✓	✓	✓	✓	✓	✓	✓
Legal Obligation Art.6(1)(c)	✓	✓	✓	X	✓	X	X
Vital Interest Art.6(1)(d)	✓	✓	✓	✓	✓	X	X
Public Interest Art.6(1)(e)	✓	✓	✓	X	✓	X	✓
Recognised Legitimate Interest Art.6(1)(ea)	✓	✓	✓	X	✓	X	X

Legitimate Interest Art.6(1)(f)	✓	✓	✓	✓	✓	X	✓
The availability of a right may depend on the circumstances of the request and any applicable exemptions under UK GDPR and the Data Protection Act 2018. In some cases, we may be able to refuse the request, continue processing, or rely on a statutory exemption.							

Requesting access to your personal data

Under data protection legislation individuals have the right to request access to information about them that we hold. To make a request for your personal information, please contact the Trust Data Protection Team by email:- data.protection@nclt.ac.uk.

Contact

Here is our Data Privacy page - <https://nclt.ac.uk/data-protection-and-freedom-of-information/>

If you have an enquiry or complaint about the way we are collecting or using your personal data, you should raise it with us in the first instance. You can also raise issues directly to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/data-protection-complaints/>

Data Protection Officer

If you would like to raise a complaint or discuss the handling of your data by NCLT, please contact the Trust Data Protection Team. email:- data.protection@nclt.ac.uk or by calling 01977 802802.