

## **Candidate Privacy Notice**

### **WHAT IS THE PURPOSE OF THIS DOCUMENT?**

Derwentside College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being asked to read 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 (GDPR). By consenting to this privacy notice you are giving your permission for us to process your personal data, including sensitive or special categories of personal information, specifically for the purposes identified.

### **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 on our application form, including name, title, address, telephone number, personal email address, NI number, disciplinary action, education and training, employment history, qualifications, memberships of professional bodies and additional employment
- Any information you provide to us during an interview, including documents supplied for any presentation, micro teach or written task

We also collect, store and use the following "special categories" of more sensitive personal information including:

- Information about your gender, age (including date of birth) and marital status

- Information about your health, including any medical conditions, and if you are a disabled person (as defined by the Equality Act 2010), including details of the nature of your disability
- Information about your ethnic origin, nationality, religion or belief and sexual orientation
- 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 by completing the application for employment
- When you communicate with us by telephone, email, social media or via our website, e.g. in order to make enquiries or raise concerns
- During the interview process

## **HOW WE WILL USE INFORMATION ABOUT YOU**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role
- Carry out background and reference checks
- Verify your ID
- Carry out right to work checks
- Communicate with you about the recruitment process
- Keep records related to our hiring processes
- Comply with legal or regulatory requirements

It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role on a conditional basis, we will then take up two references, carry out an Enhanced Disclosure from the Disclosure and Barring Service (DBS), carry out right to work checks, request to view and copy your relevant formal qualifications, request that a pre-employment health declaration is complete and sent to Occupational Health and you being passed as fit before confirming your appointment.

## **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.

## **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 during a test, interview, presentation or micro teach.
- 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.
- We will use information on criminal convictions to ensure that we make safe recruitment decisions.
- We will use information on ID checks to ensure that we make safe recruitment decisions.
- We will use information on right to work checks to ensure compliance with legislation.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

Posts in educational establishments where employees have access to children, young people and vulnerable adults are covered by the Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975. This means that, you will have to disclose details of all criminal convictions (including those which are spent), bin-over orders or cautions.

We will collect information about your criminal convictions history during the application process and we are required to carry out a criminal records check on the successful candidate in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

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 SECURITY**

Information we hold about you is securely held by Derwentside College on a central computer facility and any paperwork is stored in secure filing areas.

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 involved in the shortlisting and interview process.

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.

We do not sell your personal information.

## **DATA RETENTION**

We will retain your personal information for a period of 12 months after we have communicated our decision to the successful candidate. 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 we wish to retain your personal information on file, on the basis that a further opportunity may arise in the future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

## **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 the HR Department in writing via [HR@derwentside.ac.uk](mailto:HR@derwentside.ac.uk) or via our postal address, Derwentside College, Front Street, Consett, Co. Durham, DH8 5EE.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. All of the above requests will be forwarded on should there be a third party involved in the processing of your data.

## **RIGHT TO WITHDRAW CONSENT**

When you applied for a 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 the HR department via [HR@derwentside.ac.uk](mailto:HR@derwentside.ac.uk) or via our postal address Derwentside College, Front Street, Consett, Co. Durham, DH8 5EE. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our data retention policy, we will dispose of your personal data securely.

## **COMPLAINTS**

In the event that you wish to make a complaint about how your personal data is being processed by Derwentside College, or how your complaint has been handled, you have the right to lodge a complaint with the person responsible for GDPR compliance at Derwentside College: Head of Information Services, Derwentside College, Front Street, Consett, DH8 5EE. Email [enquiries@derwentside.ac.uk](mailto:enquiries@derwentside.ac.uk). Tel 01207 585900, or directly with the Information Commissioner's Office, Tel: 0303 123 1113, or Web: <https://ico.org.uk/concerns/>

## **CHANGES TO THIS PRIVACY NOTICE**

We will keep this Privacy Notice under regular review and reserve the right to change it as necessary from time-to-time or if required by law. Any changes will be immediately posted on the College website.