

## PRIVACY NOTICE - Applicants

### 1. WHAT INFORMATION DO WE HOLD ABOUT YOU?

#### Information we collect from you

- 1.1. As part of the recruitment process you will provide us with personal data via the online or paper based application routes, from your passport or other identity documents or it will be collected through interviews or other forms of assessment. This includes your name, address, date of birth, contact information, gender, next of kin, previous education, employment and qualifications, medical information including whether you have a disability.
- 1.2. We also collect sensitive information about ethnicity, religion, nationality and sexual orientation and your entitlement to work in the UK.

#### Other information

- 1.3. We may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and from criminal record checks. We will seek this information only once a job offer has been made to you and will inform you that we are doing so.
- 1.4. We may keep information contained in any correspondence by post or email. We may record phone calls.
- 1.5. We may also obtain other information about you permitted by law from other sources.

### 2. WHY DO WE COLLECT THIS INFORMATION?

- 2.1. We collect this information in order to enable us to process data during our recruitment process, prior to entering into a contract with you. We may also need to process your data to enter into a contract with you.
- 2.2. In some cases we may need to process data to ensure that we are complying with our legal obligations. For example we are required to check a successful applicant's eligibility to work in the UK before employment starts.
- 2.3. In other cases we may have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decided who to offer a job to. We may also need to process data from job applicants to respond to and defend against legal claims.
- 2.4. We may process special categories of data, such as information about ethnic origin, sexual orientation etc to monitor recruitment statistics and ensure that our recruitment and selection processes are operating fairly. In these instances the data will be anonymised. We may also collect information about whether or not applicants are disabled to make reasonable adjustments during and after the recruitment process.

We process such information to carry out our obligations and exercise specific rights in relation to employment.

- 2.5. For some roles we are entitled to seek information about criminal convictions and offences. Where we seek this information we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.
- 2.6. We will not use your data for any purpose other than the recruitment exercise for which you have applied.

### **3. WHO MIGHT WE SHARE YOUR INFORMATION WITH?**

- 3.1. Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and Recruitment team, managers and interviewers involved in the recruitment process and IT staff if access to the data is necessary for the performance of their roles.
- 3.2. Sensitive information such ethnicity, disability, religion, nationality and sexual orientation will only be shared internally within the HR Department.
- 3.3. We will keep this information about you confidential.
- 3.4. We will not share your data with third parties, unless your application for employment is successful and the College makes you an offer of employment. We 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 record checks.
- 3.5. We will not share your details with any other third party including commercial companies without your consent to do so.

### **4. WHAT DO WE DO WITH YOUR INFORMATION?**

- 4.1. We collect this information in order to process your application for employment.

#### **Transfer of your personal data outside of the European Economic Area (EEA)**

We do not transfer your personal data outside the EEA.

### **5. HOW DO WE PROTECT YOUR DATA?**

- 5.1. We take the security of your data seriously and have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed inappropriately.
- 5.2. Where we engage third parties to process personal data on our behalf, we do so on the basis of written instructions, they are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## **6. HOW LONG DO WE KEEP THIS INFORMATION ABOUT YOU?**

- 6.1. We hold the information on College data management systems for a period of twelve months after the end of the recruitment process to allow us to complete anonymised recruitment statistics. At the end of that period your data is deleted or destroyed.
- 6.2. If you do not finish and submit your application, we delete the incomplete application after three months.
- 6.3. If your application for employment is successful, personal data gathered during the recruitment process will be retained on our HR database and/or transferred to your personal 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.

## **7. HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?**

### **Subject access requests**

- 7.1. The General Data Protection Regulation (GDPR) grants you the right to access particular personal data that we hold about you. This is referred to as a subject access request. We will respond within one month from the point of receiving the request and all necessary information from you. Our formal response will include details of the personal data we hold about you, including the following:
  - Sources from which we acquired the information
  - The purposes for processing the information, and
  - Persons or entities with whom we are sharing the information.
- 7.2. You can make a subject access request by completing the request form or by emailing it to [dpo@leicestercollege.ac.uk](mailto:dpo@leicestercollege.ac.uk).

## **8. WHAT ARE MY RIGHTS?**

### **Subject access requests**

- 8.1. The General Data Protection Regulation (GDPR) grants you the right to access particular personal data that we hold about you.

### **Right to rectification**

- 8.2. You have the right to obtain from us, without undue delay, the rectification of inaccurate personal data we hold concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **Right to erasure**

- 8.3. You have the right to obtain from us the erasure of personal data concerning you without undue delay.

### **Right to restriction of processing**

- 8.4. Subject to exemptions, you have the right to obtain from us restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by you and is restricted until the accuracy of the data has been verified;
- The processing is unlawful and you oppose the erasure of the personal data and instead request the restriction in its use;
- We no longer need the personal data for the purposes of processing, but it is required by you for the establishment, exercise or defence of legal claims;
- You have objected to processing of your personal data pending the verification of whether there are legitimate grounds for us to override these objections.

### **Notification obligation regarding rectification or erasure of personal data or restriction of processing**

8.5. We shall communicate any rectification or erasure of personal data or restriction of processing as described above to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall provide you with information about those recipients if you request it.

### **Right to data portability**

8.6. You have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller, without hindrance from us.

### **Right to object**

8.7. You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including any personal profiling; unless this relates to processing that is necessary for the performance of a task carried out in the public interest or an exercise of official authority vested in us. We shall no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of you or for the establishment exercise or defence of legal claims.

### **Right to not be subject to decisions based solely on automated processing**

8.8. We do not carry out any automated processing, which may lead to an automated decision based on your personal data.

### **Accuracy of information**

8.9. In order to provide the highest level of customer service possible, we need to keep accurate personal data about you. We take reasonable steps to ensure that accuracy of any personal data or sensitive information we obtain. We ensure that the source of any personal data or sensitive information is clear and we carefully consider any challenges to the accuracy of the information. We also consider when it is necessary to update the information, such as name or address changes and you can help us by informing us of these changes when they occur.

## **9. WHO CAN I CONTACT IF I HAVE ANY QUESTIONS OR CONCERNS?**

9.1. If you have any questions or queries which are not answered by this Privacy Notice, or have any potential concerns about how we may use the personal data we hold, please write to the Data Protection Officer at Leicester College, Freeman's Park Campus, Welford Road, Leicester, LE2 7LW or email [dpo@leicestercollege.ac.uk](mailto:dpo@leicestercollege.ac.uk).

9.2. If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO), you can contact them on 01625 545745 or 0303 123 1113. You also have the right to judicial remedy against a legally binding decision of the ICO where you consider that your rights under this regulation have been infringed as a result of the processing of your personal data. You have the right to appoint a third party to lodge the complaint on your behalf and exercise your right to seek compensation

## **10. POLICY CHANGES**

10.1. This Privacy Notice is regularly reviewed. This is to make sure that we continue to meet the highest standards and to protect your privacy. We reserve the right at all times, to update, modify or amend this Notice. We suggest that you review this Privacy Notice y from time to time to ensure you are aware of any changes we may have made, however, we will not significantly change how we use information you have already given to us without your prior agreement. The latest version of this Notice can be found at on the College's website.

May 2018

Revised October 2019

Revised September 2020

Reviewed May 2021

Revised October 2022