



# Staff Applicant Privacy Notice

## 1. Introduction

As part of any recruitment process, Spurgeon's College collects and processes personal data relating to job applicants for roles at the College. The College is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The College is the 'Data Controller' of your personal data and is subject to the General Data Protection Regulation 2016 (GDPR). We are registered with the Information Commissioner's Office (ICO).

## 2. What is personal information (also known as a personal data)?

'Personal information' means any information about you from which you can be identified from that information alone or taken together with other information. It does not include data where your identity has been removed and where you can no longer be identified (anonymised data). It is important that the personal information that we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

## 3. What personal information do we collect?

The College collects a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number;
- Your date of birth
- Your Nationality
- Identifiers issued by public bodies e.g. NI Number, HESA ID
- Details of your qualifications, skills, experience and employment history
- Current remuneration
- Whether or not you have a disability for which the College needs to make reasonable adjustments during the recruitment process
- Information about your entitlement to work in the UK
- Equal opportunities monitoring information, including gender, information about your ethnic origin, and religious beliefs.

#### **4. Special Category Data**

The College will also process some information about you that is considered more sensitive and this is referred to as 'special category' personal data in the General Data Protection Regulation and Data Protection Act 2018. When we process this type of information we are required to apply additional protections. Special category personal data is defined as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health or sex life and sexual orientation, genetic data and biometric data which is processed to uniquely identify a person. In the UK this also includes any personal information relating to criminal convictions and offences.

#### **5. How do we collect personal information?**

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

The College may also collect personal data about you from third parties, such as references supplied by former employers, including information from employment background check providers and information from criminal records checks. The College 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. On occasion Academic references are collected before the interview to complement the interview process, if you have not given consent for us to do so, the College will contact you before requesting references.

#### **6. Why do we process personal information?**

The College needs to process data 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, the College needs to process data to ensure that it is complying with its legal obligations. These include:

- Checks to ensure a successful applicant's eligibility to work in the UK before employment starts
- Perform criminal records checks from the Disclosure and Barring Service (for applicable roles)
- Perform professional registrations and qualifications checks (for applicable roles).

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

The 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.

#### **7. How do we use 'special category' personal information?**

The College processes other special categories of data, such as information about ethnic origin, health, religion or belief, age, gender or marital status. This is done for the purposes of monitoring of the College's policies in meeting our obligations under the Equality Act 2010, and to provide anonymised statistical reporting. This data is not used in the recruitment decision-making process.

For some roles, the College is obliged to seek information about criminal convictions and offences. Where the 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.

We do not use your personal information to carry out automated decision-making processes.

#### **8. Who has access to your personal information and where is it stored?**

Data will be stored in a range of different places, including on your application record, and on the College's secure internal IT systems (including email).

Access to the information you provide to us is restricted to authorised users only and is treated in the strictest confidence. It will only be used for the purposes of processing your application and for processing of the aforementioned anonymous statistics. In order for us to process your application 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.

#### **9. Who do we share your personal information with?**

The 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 College may then share your applicable data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service (if applicable) to obtain necessary criminal records checks. Some of your data may be shared with government bodies such as UK Visa and Immigration (UKVI) to ensure the College can demonstrate compliance.

#### **10. International data transfer**

Although most of the information we store and process stays within the UK, some information may be transferred to countries outside the European Economic Area (EEA). This may occur if, for example, one of our trusted partners' servers is located in a country outside the EEA, or to check academic qualifications. Where these

countries do not have similar data protection laws to the UK, we will take steps to make sure they provide an adequate level of protection in accordance with UK data protection law.

## **11. How do we protect your personal information?**

We are committed to holding your data securely and treating them with sensitivity. All data are held securely and in accordance with the Data Protection Act 1998. Your data are held on a database hosted on a secure server within the College's IT network.

We limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Where we engage third parties to process personal data on our behalf, they do so on the basis of written instructions contained within a contract, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We have put in place procedures to deal with any suspected data breach. If you suspect a data breach has occurred at the College, the organisation has a duty to report this to the Information Commissioners Office (ICO) within 72 hours. Please report suspected data breaches to the Data Protection Officer as soon as you can.

## **12. How long do we keep your personal information?**

If your application for employment is unsuccessful, the College will hold your job application and other information supplied on file for one year after the end of the relevant recruitment process. At the end of that period your data is securely 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 is contained in the College Record Retention Schedule, a copy of which can be obtained on request.

## **13. What if you do not provide personal information?**

You are under no statutory or contractual obligation to provide data to the College during the recruitment process. However, if you do not provide the information, the College may not be able to process your application properly or at all.

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.

## 14. Your rights and how to contact us

We will always try to ensure that the data we hold for you are up to date, reasonable and not excessive. In certain circumstances, by law you have the right to:

- Be informed as to how we use your data (via this Privacy Notice)
- Access or request a copy of the data we hold about you
- Update, amend or rectify the data we hold about you
- Change your communication preferences at any time to restrict how we process your data, or opt out of some or all communication from us
- Ask us to remove your data from our records
- Withdraw consent, where it is used as a legal basis for processing
- Object to or restrict the processing of your information for any of the purposes outlined above.

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 Data Protection Officer.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you have any questions about this Privacy Notice, your data rights, or would like to receive a copy of the information we hold about you, please contact:

Rev Helen Stokley  
Data Protection Officer  
Spurgeon's College  
South Norwood Hill  
London  
SE25 6DJ  
dpo@spurgeons.ac.uk      +44 (0)20 8653 0850

If you feel that we have let you down in relation to your information rights then please contact us so that we can discuss this with you and rectify the situation.

You can also make complaints directly to the Information Commissioner's Office (ICO). The ICO is the independent authority upholding information rights for the UK. Their website is [ico.org.uk](http://ico.org.uk) and their telephone helpline number is 0303 123 1113.

From time to time, we may use your information for new purposes not currently described in this Privacy Notice. If our information practices change at some time in the future, we will always post the policy changes on this page.

<b>Document control box</b>			
Title	Staff Applicant Privacy Notice		
Date approved	29 September 2018	Implementation date	September 2018
Next review date	September 2019		
Version	1	Supersedes version	n/a
Approving body	Governors		
Quality Code consulted			
Member of staff responsible	Director of Operations		