



## **Laidlaw Schools Trust - Job Applicant Privacy Notice – May 2018**

**Data Controller:** Laidlaw Schools Trust, Suite 2: Floor 3, St. Nicholas Building, St. Nicholas Street, Newcastle upon Tyne, NE1 1RF

**Data Protection Officer:** Shaun Dillon, Director of Systems and Data, Laidlaw Schools Trust

As part of any recruitment process, we collect and process personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations. We process this information under the consent, contract and legal obligation sections from Article 6, and sections A to J highlighted in Article 9 of the GDPR regulations.

### **What information do we collect?**

We collect 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 and employment history; information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

We collect this information in a variety of ways, for example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

We will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from DBS checks. We will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.

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



## Why do we process personal data?

We need to process data to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into a contract with you.

In some cases, we need to process data to ensure that it is 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.

We 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 decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

Where we rely on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

We process health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, we are obliged to seek information about criminal convictions and offences. Where we seek this information, it is necessary to fulfil our obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, we will keep your personal data on file, for a period of 12 months, in case there are future employment opportunities for which you may be suited. We ask for your consent within our application form to keep your data for this purpose and you are free to withdraw this at any time.

## Who has access to data?

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.



We will not share your data with third parties, unless your application for employment is successful and we make 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 records checks.

We will not transfer your data outside the European Economic Area.

### **How do we protect data?**

We take the security of your data seriously. We have 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. Further information and guidance on this matter is available from the Data Protection Officer as listed above.

### **For how long do we keep data?**

If your application for employment is unsuccessful, we will hold your data on file for 12 months after the end of the relevant recruitment process for consideration for future employment opportunities. At the end of that period or once you withdraw your consent, your data is 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 our Employee Privacy Notice.

### **Your rights**

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require us to change incorrect or incomplete data;
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where we rely on our legitimate interests as the legal ground for processing;
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact Rachel Fenwick, HR Manager, Laidlaw Schools Trust, Suite 2: Floor 3, St. Nicholas Building, St. Nicholas



Street, Newcastle upon Tyne NE1 1RF. You can make a Subject Access request by completing our form which is available upon request to the HR Manager.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner.

#### **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide the information, we 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.