



PRIVACY NOTICE FOR JOB APPLICANTS / CANDIDATES

1. What is the purpose of this document?

- 1.1 Gateshead College is committed to protecting the privacy and security of your personal information.
- 1.2 This privacy notice describes how we collect and use personal information about you during your application and recruitment process for employment with us, in accordance with the General Data Protection Regulation (**GDPR**).
- 1.3 Gateshead College is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

2. Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- 2.1 Used lawfully, fairly and in a transparent way.
- 2.2 Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- 2.3 Relevant to the purposes we have told you about and limited only to those purposes.
- 2.4 Accurate and kept up to date.
- 2.5 Kept only as long as necessary for the purposes we have told you about.
- 2.6 Kept securely.

3. The kind of information we hold about you

- 3.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3.2 There are "special categories" of more sensitive personal data which require a higher level of protection (explained in more detail below).

3.3 We will collect, store, and use the following categories of personal information about you as part of our application and selection process:

3.3.1 personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;

3.3.2 date of birth;

3.3.3 gender;

3.3.4 personal interests and whether you are related to any personnel of the College or Governing Body;

3.3.5 Prohibition from Management and/ or teaching check;

3.3.6 recruitment information (including copies of right to work documentation, referees and other information included in a CV or cover letter or as part of the application process).

3.4 We may also collect, store and use the following "special categories" of more sensitive personal information but only if you have disclosed this to us:

3.4.1 Information about your race or ethnicity, religious beliefs and sexual orientation.

3.4.2 information about your health, including any medical condition, health and sickness records;

(The information above is not used for the purposes of determining whether to make an offer of employment but only for equal opportunities monitoring.)

3.4.3 information about criminal convictions and offences.

(This information may be used for the purposes of determining whether to make an offer of employment but only if relevant to the role you are applying for.)

4. **How is your personal information collected?**

We collect personal information about you through the application and recruitment process, either directly from you (as a candidate) or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, from websites such as professional social media sites, credit reference agencies or other background check agencies such as recruitment agents.

5. **How will we use information about you?**

5.1 We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

5.1.1 anticipation of performance of the employment contract;

5.1.2 where we need to comply with a legal obligation;

5.1.3 where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

5.2 We may also use your personal information in the following situations, which are likely to be rare:

5.2.1 where we need to protect your interests (or someone else's interests);

5.2.2 where it is needed in the public interest or for official purposes.

6. **Situations in which we will use your personal information**

6.1 The situations in which we will process your personal information are listed below.

6.1.1 making a decision about your recruitment or appointment. (Please note that the information listed at 3.4.1 and 3.4.2 are not used for the purposes of assessing your suitability for a role unless information about your health is considered as part of your fitness for work);

6.1.2 determining the terms on which you will work for us;

6.1.3 checking you are legally entitled to work in the UK;

6.1.4 assessing qualifications for a particular job or task;

6.1.5 education, training and development requirements;

6.1.6 ascertaining your fitness to work;

6.1.7 complying with health and safety obligations;

6.1.8 to conduct data analytics studies to review and better understand employee retention and attrition rates;

6.1.9 to ensure the safeguarding of students;

6.1.10 to keep an audit trail of the checks we have made and our relationship with you in case of employment claims;

6.1.11 equal opportunities monitoring.

6.2 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

7. **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to properly assess your suitability for the role, nor comply with our legal obligations (such as to ensure the health and safety of candidates).

8. **How we use particularly sensitive personal information**

8.1 "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following in limited circumstances, using your explicit written consent:

8.1.1 where we need to carry out our legal obligations or exercise rights in relation to your employment with us and in line with our data protection policy;

8.1.2 where it is needed in the public interest, such as for equal opportunities monitoring and always in line with our internal employment policies.

8.2 Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

9. **Our obligations as an employer**

9.1 We will use your particularly sensitive personal information in the following ways:

9.1.1 we will use information about your physical or mental health, or disability status, to ensure your health and safety in our workplace and to assess your fitness to work, to provide appropriate workplace adjustments (e.g. when a candidate is disabled);

9.1.2 we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

10. **Information about criminal convictions**

10.1 We may only use information relating to criminal convictions where the law allows us to do so. This will usually be to assess your suitability for a role.

10.2 Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

10.3 We will collect information about criminal convictions as it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

11. **Data security**

11.1 We have put in place measures to protect the security of your information, including asking our employees to comply with our data protection policy/standard. Details of these measures are available upon request.

11.2 Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

12. **Data Retention**

12.1 **How long will you use my information for?**

12.1.1 We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

12.1.2 Generally speaking, unless you are employed by us, your data will be deleted / erased within 13 months of your application for a role with us.

12.1.3 In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

If you have any questions about this privacy notice, please contact the Data Protection Officer on dpo@gateshead.ac.uk.