

# Privacy Notice for prospective staff/applicants

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Under data protection law, individuals have a right to be informed about how the College uses any personal data that we hold about them. We comply with this right by providing ‘privacy notices’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we employ, or otherwise engage, to work at the College.

We, East Norfolk Sixth Form College, are the ‘data controller’ for the purposes of data protection law. Our data protection officer is **Lisa Bell** (see ‘Contact us’ below).

### ***The personal data we hold***

We process data relating to those we employ, or otherwise engage, to work at the College. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth and gender
- Emergency contact numbers
- National Insurance number
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process

- Qualifications and employment records, including work history, job titles,

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs and sexual orientation
- Health, including any medical conditions, and sickness records

### ***Why we use this data***

The purpose of processing this data is to help us run the College, including to:

- Facilitate safe recruitment, as part of our safeguarding obligations towards students
- Inform our recruitment and retention policies
- Meet our statutory obligation as an employer in relation to ethnicity and disability monitoring
- Improve the management of workforce data across the sector

### ***Our lawful basis for using this data***

We process this data under and most commonly for:

- Article 6 (1)(b) of the General Data Protection Regulation (GDPR) as processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract
- Article 6(1)(c) of the GDPR as processing is necessary for us to comply with the law
- Article 6(1)(e) of the GDPR as processing is necessary for us to perform a task in the public interest or for our official functions, and this task or function is lawful
- Article 9(2)(b) of the GDPR as processing is necessary for the purposes of carrying out our obligations in relation to employment law
- Article 9(2)(h) of the GDPR as processing is necessary, where applicable, for the purposes of preventative or occupational medicine to assess the working capacity of the employee or to obtain a medical diagnosis.

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent, and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the College's use of your data.

### ***How we store this data***

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with current legislation and the College's "Records Retention Guidance" policy (located on EN Website.)

### ***Data sharing***

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about you with:

- *Your family or representatives*
- *Disclosure and Barring Service (DBS)*
- *Our auditors*
- *Professional bodies*
- *Employment and recruitment agencies*
- *Referees*

### ***Why we share college workforce information***

We do not share information about workforce members with anyone without consent, unless the law and our policies allow us to do so.

#### *Disclosure and Barring Service (DBS)*

We share personal data including name and name history, address history for 5 years, date of birth, phone number and email address, National insurance number, passport number and validity, criminal conviction declaration, driving licence number and effective date, birth certificate with date and location of issue.

We will share this information with the Government's Disclosure and Barring Service (DBS) so that

- they can check whether you have any previous convictions which would make you unsuitable for working with children and young people.

### ***Your rights How to access personal information we hold about you***

Individuals have a right to make a 'subject access request' to gain access to personal information that the College holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with

- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer.

### ***Your other rights regarding your data***

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### ***Complaints***

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### ***Contact us***

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Lisa Bell  
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Church Lane  
Gorleston  
Great Yarmouth  
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