

HUMAN RESOURCES POLICY AND PROCEDURE

JOB APPLICANT PRIVACY NOTICE

Data Controller: Hertford Regional College, Broxbourne Campus, Turnford, Broxbourne, Herts, EN10 6AE.

Data Protection Officer: Olive Oliver - Associate Director ooliver@hrc.ac.uk

Hertford Regional College (HRC) uses Herts Resourcing Group (HRG) as a third party to provide talent acquisition services and therefore HRG collects and processes personal data relating to job applicants. HRG is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does HRG collect?

HRG collects 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 there is a need to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, gender, marital status, sexual orientation, disability, and religion or belief.

HRG collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

HRG 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 criminal records checks. HRG will seek information from third parties only once a job offer to you has been made and accepted and will inform you that it is doing so.

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

Why does HRG process personal data?

HRG provides talent acquisition services and therefore needs to process data at your request. This information is shared with HRC prior to them entering into a contract with you and they will process your data to enter into a contract with you.

In some cases, HRG needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

HRG 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 HRG to manage the recruitment process, assess and confirm a candidate's suitability for employment, which may include undertaking internet searches in accordance with the Keeping Children Safe in Education (KCSIE) guidance and decide to whom to offer a job. HRG may also need to process data from job applicants to respond to and defend against legal claims.

Where HRG relies 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.

HRG 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.

Where HRG processes other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equal opportunities monitoring with the explicit consent of job applicants which is given upon applying for a vacancy. This consent can be withdrawn at any time.

HRG is obliged to seek information about criminal convictions and offences. Where HRG 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.

HRG will not use your data for any purpose other than the recruitment exercise for which you have applied.

Who has access to data?

Your information will be shared with HRC for the purposes of the recruitment exercise. This includes members of the HRC HR Services team, interviewers and or assessors involved in the recruitment process, managers in the business area with a vacancy and Reception/MIS/IT staff if access to the data is necessary for the performance of their roles.

HRG will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment.

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



How does HRG protect data?

HRG takes the security of your data seriously. It has 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.

All data is backed up and replicated between two sites for Disaster Recovery purposes and kept for at least 1 year. All areas of data are protected by security access restrictions either by user or by security groups.

Where HRG engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data

HRG and HRC use Monster (owned by Deltek) as their primary recruitment platform. Keeping customers' information safe and secure is amongst HRC and HRG's highest priorities and HRC and HRG have implemented strong security and privacy protection. Monster's (Deltek) services are backed by robust, state-of-the-art technical and administrative safeguards, dedicated security, operational and privacy teams.

For how long does keep data?

If your application for employment is unsuccessful, HRG will hold your online application data on file for 12 months after the end of the relevant recruitment process. At the end of that period your online application data is deleted or destroyed. If you wish your online application to be deleted, you will need to delete your Monster/Deltek account. If you are invited to interview and supply documentation, this is destroyed upon notification of your unsuccessful application.

² One list contains the details of individuals who are barred from working with children, and the other those who are barred from working with vulnerable adults. The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced certificate is obtained, and this includes a barred list check, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002 prohibiting that individual from taking part in the management of independent educational institutions in England and/or Wales respectively.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your HRC personnel 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.

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 HRG to change incorrect or incomplete data;
- require HRG 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 HRG is relying on its legitimate interests as the legal ground for processing; and
- ask HRG to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override HRG's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the– hr@hrc.ac.uk. You can make a subject access request by completing HRC's form for making a subject access request – see appendix A

If you believe that HRG has 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 HRG during the recruitment process. However, if you do not provide the information, HRG 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.

Automated decision-making

Recruitment processes are not based on automated decision making.

**Appendix A – Subject Access Request**

Name:
Daytime telephone number:
Email:
Address:
By completing this form, you are making a request under the General Data Protection Regulation (GDPR) for information held about you, by the organisation, that you are eligible to receive.
Required information (and any relevant dates):
<p>By signing below, you indicate that you are the individual named above. Hertford Regional College cannot accept requests regarding your personal data from anyone else, including family members. We may need to contact you for further identifying information before responding to your request. You confirm that you are the individual named and will fully indemnify us for all losses, cost and expenses if you are not.</p> <p>Please return this form to the HR Services Department, Ware Campus, London Road, Ware, Herts SG12 9JF or email hr@hrc.ac.uk</p> <p>Please allow 28 days for a reply.</p>
Data subject's signature:
Date: