

The Sixth Form College, Colchester

Privacy Notice

(How we use your personal information during the recruitment process).

This privacy notice explains how The Sixth Form College, Colchester collects, uses and shares your personal data, including special categories of personal data or criminal conviction and offences data, and your rights in relation to the personal data we hold. This concerns our processing of personal data of all applicants for paid employment, volunteer positions, Governors, work experience and peripatetic workers.

We are committed to ensuring that the personal data of our employees is handled in accordance with the principles set out in the ICO's Guide to Data Protection.

The Sixth Form College, Colchester is part of the Sixth Form Colleges Trust who is the data controller of your personal data and is subject to UK Data Protection Legislation currently in force

How we collect your information

We collect your personal data in a number of ways, for example

- from the information you provide to us on the Colleges application form.
- From documents associated with safeguarding checks as part of our recruitment processes i.e. DBS check, social media checks etc.
- From information supplied as part of our recruitment process i.e. photo for ID
- from third parties, for example from your previous or current employer, who may provide a reference about you
- medical information – if further information is required as part of the recruitment process.
- Professional and educational qualification checks.

The type of employee information that we collect:

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the Data Protection laws, we will inform you whether you are required to provide certain College workforce information to us or if you have a choice in this. We may collect the following types of personal data about you:

- personal information (such as your name, d.o.b, employee or Pension number, national insurance number, nationality)
- contact information such as address, email address and phone number.
- special categories of data including characteristics information such as gender, age, nationality and ethnic group
- contract information (such as previous employment/roles etc.)
- work absence/attendance information (such as the reasons and number of occasions)
- qualifications (and, where relevant, subjects taught)
- information required for the purpose of processing payroll
- information required by statutory bodies in order to fulfil our obligations as an employer i.e. HMRC, DfE, pension bodies
- medical information
- pre-employment checks i.e. safeguarding and your suitability for employment at the

- college, ID check and right to work in the UK
- Information regarding your previous employment history
- Photo for the purposes of producing college ID card/ use in staff directory on appointment.

How we use this information

The purposes for which we may use personal data (including special categories of personal data or criminal conviction and offences data) we collect during the recruitment process enable us to:

- make reasoned decisions regarding recruitment and employment at the College
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- for management of contract when an offer is made.

The legal basis on which we process and use your information

We process this information in order to fulfil our contractual obligations and for the performance of our business as a Sixth Form College and under our legal obligations to;

- enable us to make reasoned decisions regarding offers of appointment
- meet our compliance and regulatory obligations, such as compliance with safeguarding requirements;
- ensure that volunteers and peripatetic staff satisfy our legal obligations.

Depending on the processing activity we rely on the following lawful basis for processing your personal data under UK GDPR

- Article 6(1)(b) which relates to processing necessary for the performance of a contract.
- Article 6(1)(c) so we can comply with our legal obligations whilst undertaking our recruitment processes (i.e. compliance with Keeping Children Safe in Education Legislation).
- Article 6(1)(d) in order to protect your vital interests or those of another person.
- Article 6(1)(e) for the performance of our public task.
- Article 6(1)(f) for the purposes of our legitimate interest.

Where the information we process is special category data, for example your health data, the additional bases for processing that we rely on are:

- Article 9(2)(a) your explicit consent.
- Article 9(2)(b) which relates to carrying out our obligations and exercising our rights in employment and the safeguarding of your fundamental rights.
- Article 9(2)(c) to protect your vital interests or those of another person where you are incapable of giving your consent.
- Article 9(2)(f) for the establishment, exercise or defence of legal claims.
- Article 9(2)(g) – where processing is necessary for reasons of substantial public interest

In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1 of the

DPA 2018. This relates to the processing of special category data for employment purposes.

We process information about staff criminal convictions and offences. The lawful basis we rely to process this data are:

- Article 6(1)(e) for the performance of our public task. In addition, we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a) of the DPA 2018.
- Article 6(1)(b) for the performance of a contract. In addition, we rely on the processing condition at Schedule 1 part 1 paragraph 1 of the DPA 2018

Storing Recruitment data

In general we hold recruitment data in both physical (paper) and electronic form (currently using MyNewterm recruitment platform) We hold application forms and recruitment data for six months after the date of interview.

The data of the successful applicant is governed by the College's privacy statement for staff.

A retention schedule relating to employee records and all HR processes is available on request.

Sharing information with others.

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we do not share your data outside of the organisation.

Data is shared with the following people

- HR Staff
- Senior Management team.
- Staff involved in the recruitment process

Why we share employee information

We share information within the organisation in order to make a reasoned decision regarding the employment of staff.

Requesting access to your personal data

You have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you;
- to require that we cease processing your personal data if the processing is causing you damage or distress;
- to require us not to send you marketing communications.
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us to erase your personal data;
- to require us to restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;

- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

If you wish us to no longer hold and use your personal data for the process of recruitment your application to work at the College will be deemed to be withdrawn and, on your request, data will be deleted with immediate effect.

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the College's Data Protection Officer (DPO) via email: dpo@colchsfc.ac.uk

Further information

If you have a concern about the way we are collecting or using your personal data, or wish to discuss anything in this privacy notice we ask that you raise your concern with the HR department on humanresources@colchsfc.ac.uk in the first instance. Alternatively, you can contact the College's Data Protection Officer via email: dpo@colchsfc.ac.uk

You can also contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>