

## **TEC Partnership – Recruitment Privacy Notice**

### **Why do we collect personal information?**

The TEC Partnership collects and processes personal data relating to its potential new applicants to effectively manage a robust recruitment process, and to meet its statutory obligations as a further and higher education institution in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA 2018).

The TEC Partnership is committed to being transparent about how and why it collects and uses the data, and to meeting its data protection obligations. Under the GDPR, and DPA regulations, the TEC Partnership is required to let you know the information contained in this privacy notice.

This notice applies to all applicants, including those to apply to work with the TEC Partnership as employees, workers and contractors. However, the privacy notice does not form part of a contract of employment or contract for services.

*The TEC Partnership consists of: - The Grimsby Institute, University Centre Grimsby, Skegness TEC, Scarborough TEC, Career 6, The Academy Grimsby, Learning Centres, NET UK and Modal.*

### **What personal information does the organisation collect?**

The TEC Partnership collects and processes data using Article 6, Lawfulness of processing and Article 9, Processing of special categories of personal data as part of the GDPR Regulations:

1. The Partnership has a legitimate interest to process candidate recruitment applications and to keep in touch with these potential candidates.
2. The data collected and used as part of the recruitment process is to meet the organisations legal and contractual obligations
3. The data collected is kept only as long as necessary for the purposes of the recruitment process
4. The data collected is kept securely in accordance with the TEC Partnerships recruitment process.

The kind of information the TEC Partnership will hold about the candidate. During the recruitment process the TEC Partnership will collect, store and use the following categories of information about the individual, such as:-

- Personal contact details, such as name, title, addresses, telephone numbers and personal email addresses;
- Date of birth;
- Proposed salary, annual leave, pension and benefits information;
- Proposed start date;
- Proposed location of employment or workplace;
- Copy of driving licence if driving forms part of your role; and
- Recruitment information, including copies of right to work documentation, reference and other information contained in an application form or CV, professional or other qualifications, regulatory approvals, criminal records checks, cover letter or other part of the application process.

The TEC Partnership may also collect, store and use the following “special categories” of personal data relevant to the recruitment process:

- Information about your health or medical condition;

- Information on equal opportunities for monitoring
- Information about criminal convictions and offences.

#### **How is this collected and stored?**

Most of the information above is collected directly from the candidate completing an application form via a personal account with direct entry into the TEC Partnership's I Trent HR/Payroll system.

The TEC Partnership may also collect additional information from third parties including former employers, professional bodies, regulatory authorities or other background check agencies.

An individual's personal information will only be used when the law allows us to. Most commonly, the TEC Partnership will use personal information in the following circumstances:

1. Where we need to prepare for, enter into or perform a contract with the candidate/employee;
2. Where we need to comply with a legal obligation; and
3. Where it is necessary for our legitimate interests (or those of a third party) and the candidates/employee's interests and fundamental rights do not override those interests

The TEC Partnership may also use your personal information in the rare situations where we need to protect the individuals vital interests (or someone else's vital interests) or where it is needed in the public interests.

We need the kind of information listed above to allow us to prepare for, enter into or perform and employment or work-related contract with an individual and to enable us to comply with our legal obligations. The situations in which we will process your personal information as a candidate are:

- Making a decision about an individual's recruitment or appointment;
- Determining the terms on which an individual will work for us;
- Checking the individual is legally entitled to work in the UK;
- Arranging to administer any contract we enter into with the individual;
- Business management and planning, including accounting and auditing;
- Assessing the individual's qualifications and/or regulatory approvals for the job or contract that has been applied for;
- Education, training and development requirements;
- Dealing with legal disputes which involves the individual or other employees, workers or contractors; and
- Complying with health and safety obligations.

Some of the above grounds for processing may overlap and there may be several grounds which justify our use of an individual's personal data.

If an individual fails to provide certain information when requested, we may not be able to enter into a contract with that individual or we may be prevented from complying with our legal obligations (such as ensuring the health and safety of our workers).

All data will be stored in a range of different places, including I Trent HR/Payroll system, or as electronic documents within a secure network.

### **How long will you keep data for?**

We will only retain candidate's personal information for as long as necessary for the recruitment purposes it was collected for. We normally retain candidate details for the following periods, following which it will be securely destroyed:

- Application data for unsuccessful candidates will be held for a period of 6 months
- Application data for successful candidates (employees) will be held in an electronic personal file for the period of employment, plus a period of 6 years plus the current financial year (1<sup>st</sup> August – 31<sup>st</sup> July)
- Occupational Health records will be held for a period of 40 years after the employment ends.

In some circumstances (such as recruitment statistics and equal opportunities monitoring) 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.

### **Who has access to data?**

Information is shared internally, with any TEC Partnership staff who need access to the data.

The TEC Partnership shares data with organisations to fulfil its contractual and legal obligations such as:

- Funding organisations such including the ESFA and OfS
- Awarding Bodies
- Local Authorities
- Police
- Healthcare, social and welfare organisations
- HMRC

Where the TEC Partnership engages non-statutory third parties to process personal data on its behalf, we require them to do so on the basis of written instructions, under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. This will only take place where the law allows it and the sharing is in compliance with GDPR legislation.

### **Change of purpose**

The TEC Partnership will only use personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify the individual/employee and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Sensitive personal information**

The TEC Partnership may process "special categories" of personal information where we have justification to do so in the recruitment process and in line with our normal data protection procedures, including:

1. Where we have your explicit written consent;

2. Where we need to carry out our legal obligations;
3. Where it is needed in the public interest, such as for equal opportunities monitoring;
4. Where it is needed to assess the individuals working capacity on health grounds.

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 the individual's (or someone else's) interests and the individual is not capable of giving the consent.

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

- Information about physical or mental health, or disability status, to ensure health and safety in the workplace and to assess the individuals fitness to work in the role that has been applied for and to provide appropriate workplace adjustments;
- Information about race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;
- Information about criminal records to ensure that it is appropriate to engage the individual in particular types of work.

#### **Circumstances in which we do not envisage using your information**

The TEC Partnership do not envisage that we will:

1. Make any decisions about candidates using automated means;
2. Share candidate data with any third parties or any entities within the College's group (unless required by law); or
3. Transfer candidate data outside the European Economic Area (EEA).

#### **Data security**

The TEC Partnership have put in place appropriate security measures to prevent candidate personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We also limit access to candidate personal data to those employees and other individuals who have a business need to know and who are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and the relevant regulator of a suspected breach when we are legally required to do so.

#### **What rights do you have?**

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

- Obtain a copy of your data on request;
- Require the organisation to change incorrect or incomplete data;
- Request for your personal data to be deleted, for example, where you believe the data is no longer necessary;
- Stop your data being processed, for example, withdrawing your consent;
- Object to the processing of your data, for example, how your data is being used;

Requests should be sent to the Data Protection Officer – [dpo@grimsby.ac.uk](mailto:dpo@grimsby.ac.uk)

If you are not satisfied with how The TEC Partnership is processing your personal data, you can make a complaint to the Information Commissioner. You can find out more about your rights from the Information Commissioner's website at [www.ico.org.uk](http://www.ico.org.uk)