

## Privacy notice for job applicants

Under data protection law, individuals have a right to be informed about how the organisation use any personal data 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 describes how we collect and use personal information about you during and after your relationship with us, in accordance with the UK General Data Protection Regulation (UK GDPR).

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR

We, Remarkable Autism Ltd, are the 'data controller' for the purposes of data protection law. Our Data Protection Officer is Judicium (see 'Contact us' below).

This notice applies to job applicants. Successful candidates should refer to our privacy notice for the charity's workforce for information about how their personal data is collected, stored and used.

This notice does not form part of any contract of employment or other contract to provide services and we may update this notice at any time.

It is important that you read this notice, together with any other policies mentioned within this privacy notice. This will assist you with understanding how we process your information and the procedures we take to protect your personal data.

### Data Protection Principles

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

### The personal data we hold

We may collect, store and use the following categories of personal information about you up to the shortlisting stage of the recruitment process: -

Personal information and contact details such as name, title, addresses, date of birth, marital status, phone numbers and personal email addresses;

Emergency contact information such as names, relationship, phone numbers and email addresses;

Information collected during the recruitment process that we retain during your employment including proof of right to work in the UK, information entered on the application form, CV, qualifications;

Details of your employment history including job titles, salary and working hours;

Information regarding your criminal record as required by law to enable you to work with children;

Details of your referees and references;

Details collected through any pre-employment checks including online searches for data;

We may also collect, store and use the following more sensitive types of personal information:

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

Information about your health, including any medical condition and sickness records.

Information about criminal convictions and offences.

After the shortlisting and interview stage, in order to make a final decision on recruitment, we may collect further information including criminal record information, references, and information regarding qualifications. We may also ask about details of any conduct, grievance or performance issues, appraisals, time and attendance from references provided by you.

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

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation
- Carry out a task in the public interest

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)
- We have legitimate interests in processing the data.

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 organisation's use of your data.

### **Collecting this information**

While the majority of the information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

We may collect this information from you, your referees, your education provider, by searching online resources, from relevant professional bodies, the Home Office and from the DBS.

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

Personal data we collect as part of the job application process is stored in line with our Data Protection Policy.

When it is no longer required, we will delete your information in accordance with our Data Protection Policy.

Our Data Protection Policy is available on our website via the following link: [Data Protection Policy](#).

If you would prefer to be sent either an electronic or paper copy of the policy, please contact our Data Protection Officer.

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

- Where we need to take steps to enter into a contract with you;
- Where we need to comply with a legal obligation (such as health and safety legislation, under statutory codes of practice and employment protection legislation);
- Where it is needed in the public interest or for official purposes;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests, rights and freedoms do not override those interests.
- Where you have provided your consent for us to process your personal data.

Generally, the purpose of us collecting your data is to enable us to facilitate safe recruitment and determine suitability for the role. We also collect data in order to carry out equal opportunities monitoring and to ensure appropriate access arrangements are put in place if required.

If you fail to provide certain information when requested, we may not be able to take the steps to enter into a contract with you, or we may be prevented from complying with our legal obligations.

We will only use your 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.

## Data sharing

We may need to share your data with third parties, including third party service providers where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

These include the following: -

- Academic or regulatory bodies to validate qualifications/experience (for example the teaching agency);
- Referees;
- Other schools or colleges;
- DBS; and
- Recruitment and supply agencies.

We may also need to share some of the above categories of personal information with other parties, such as HR consultants and professional advisers. Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law.

## Transferring data internationally

Where we transfer personal data to a country or territory outside the UK or European Economic Area, we will do so in accordance with data protection law.

## How We Use Particularly Sensitive Information

Sensitive personal information (as defined under the UK GDPR as “special category data”) require higher levels of protection and further justification for collecting, storing, and using this type of personal information. We may process this data in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring (or in relation to our pension scheme);
- Where it is needed in relation to legal claims or where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent.

## **Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where it is necessary to carry out our legal obligations. We will only collect information about criminal convictions if 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 the recruitment process.

## **Retention Periods**

Except as otherwise permitted or required by applicable law or regulation, the organisation only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes.

Once we have finished recruitment for the role you applied for, we will then store your information in accordance with our Retention Policy. Retention policy. This can be found [here](#).

## **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. Details of these measures are available in our Cyber Security policy which is available upon request.

You can find further details of our security procedures within our Data Breach policy, which can be found [here](#).

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

## **Your rights**

### **How to access the personal information we hold about you**

Individuals have a right to make a 'subject access request' to gain access to personal information that the organisation 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 a 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 lead.

### **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 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.

### **Right to Withdraw Consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Data Protection Lead (email: [dataprotectionlead@remarkable-autism.org](mailto:dataprotectionlead@remarkable-autism.org)). Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **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 by emailing [dataprotectionlead@remarkable-autism.org](mailto:dataprotectionlead@remarkable-autism.org).

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

We hope that our Data Protection Lead can resolve any query you raise about our use of your information in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by our data Protection Lead, then you can contact the DPO on the details below: -

Data Protection Officer: Judicium Consulting Limited  
Address: 72 Cannon Street, London, EC4N 6AE  
Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)  
Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.