

# Applicant Privacy Notice

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## Ampleforth Abbey Trust

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| <b>Person(s) Responsible for the Policy:</b> | HR Services Manager |
| <b>Ratified by:</b>                          | Deputy CEO          |
| <b>Version number:</b>                       | 1.0                 |
| <b>Date approved:</b>                        | March 2021          |
| <b>Next review date:</b>                     | March 2023          |

### **Policy at a glance:**

- This policy sets out the basis on which we collect, use and disclose personal data of job applicants.
- This policy also sets out your rights in respect of your personal data.

## **Applicant Privacy Notice**

As part of any recruitment process, the Trust collects and processes personal data relating to job applicants. This makes the Trust a data controller of your personal information, and this Privacy Notice sets out how we will use that information and what your rights are.

### **The types of information we collect**

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- Your contact details (including email address(es), telephone numbers and postal address(es));
- 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 the organisation needs 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, sexual orientation, health and religion or belief.

The Trust may collect 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.

The Trust may also collect personal data about you from third parties, such as references supplied by former employers and information from employment background check providers and criminal records checks.

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

### **The bases for processing your personal data, how that data is used and whom it is shared with**

The organisation needs to process data to take steps, at your request, prior to entering into a contract with you. It may also need to process your data to enter into a contract with you.

In some cases, the organisation 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, and to meet our obligations, notably those in connection with child welfare. For certain roles the organisation is obliged to seek information about criminal convictions and offences. Where the organisation 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.

The organisation 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 the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

The organisation may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the organisation processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

If your application is unsuccessful, the organisation may keep your personal data on file in case there are future employment opportunities for which you may be suited. The organisation will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

## **Sharing your information with others**

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties. We may disclose limited personal data (including in limited cases special category or criminal data) to a variety of recipients including:

- Other employees, agents and contractors (e.g. third parties processing data on our behalf as part of administering payroll services, the provision of benefits including pensions, IT etc. – although this is not sharing your data in a legal sense, as these are considered data processors on our behalf);
- DBS and other relevant authorities and agencies;
- External auditors;
- Our advisers where it is necessary for us to obtain their advice or assistance, including insurers, lawyers, accountants, or other external consultants;
- Third parties and their advisers in the unlikely event that those third parties are involved in merger/acquisition activity with us;
- When the Trust is legally required to do so (by a court order, government body, law enforcement agency or other authority of competent jurisdiction), for example HM Revenue and Customs or police.

We may also share information about you with other employers in the form of a reference, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations.

## **How long your information is kept**

Personal data relating to unsuccessful job applicants is deleted within 1 year, except where we have notified you we intend to keep it for longer (and you have not objected).

For employees, subject to any other notices that we may provide to you, we may retain your personal data for a period of 7 years after your contract of employment (or equivalent agreement) has expired or been terminated.

However, some information may be retained for longer than this, for example incident reports and safeguarding files, in accordance with specific legal requirements.

## **Your rights**

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at [www.ico.org.uk](http://www.ico.org.uk).

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

- Access and obtain a copy of your data on request;
- Require the organisation to change incorrect or incomplete data;
- Require the organisation 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 the organisation is relying on its legitimate interests as the legal ground for processing; and
- Ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact [governance@ampleforth.org.uk](mailto:governance@ampleforth.org.uk)

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at [www.ico.org.uk](http://www.ico.org.uk). If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

## **This notice**

The Trust will update this Applicant Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly, as far as is reasonably practicable.