



**student
minds**

JOB APPLICANT PRIVACY NOTICE

Student Minds

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INTRODUCTION

As part of our recruitment process, Student Minds will collect and process personal data relating to job applicants. The Charity is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

WHAT INFORMATION DOES THE CHARITY COLLECT?

“Personal data” (or personal information). Personal data is the specific information that identifies an individual.

The Charity collects and processes a range of personal information about you. This includes:

- your name
- address and other contact details, including email address and telephone number
- date of birth
- 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 Charity needs to make reasonable adjustments during the recruitment process; and
- information to verify your identification and entitlement to work in the UK including copy of your passport, driving license, personal photograph, Biometric Permit or Visa, change of name deed (if any)
- information about your criminal record (if any)
- Written tests and Interview notes

The Charity may collect this information in a variety of ways. For example, data might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving license; from forms completed by you; from correspondence with you; or through interviews, meetings or other assessments.

Personal data may also have been sourced through information you posted on job boards or social media sites such as LinkedIn where you stated that you were seeking employment.

In some cases, the Charity may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

Data will be stored in a range of different places, including on your application record (hard or soft copy), in the Charity's HR applicant tracking systems and in other IT systems (including the email and hard drives).

WHY DOES THE CHARITY PROCESS PERSONAL DATA?

The Charity 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 Charity 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.

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

The Charity may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. The Charity processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, the Charity is obliged to seek information about criminal convictions and offences. Where the Charity 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.

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

WHO HAS ACCESS TO DATA?

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with the vacancy and IT staff if access to the data is necessary for the performance of their roles.

We may share your personal data with third parties 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. If we do, you can expect a similar degree of protection in respect of your personal data.

We will also share your data with the third parties set out below:

- any member of our group, which means our subsidiaries, as defined in section 1159 of the UK Companies Act 2006 (set out in Appendix I.);

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- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation; or
- if we or substantially all of our assets are acquired by a third party, in which case personal data held by us will be one of the transferred assets.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal data in line with our policies. We require these third parties to treat your personal data in accordance with data protection laws and to keep it confidential. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

The Charity will not share your data with any other third parties, unless your application for employment is successful and it makes you an offer of employment. The Charity will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks. These are in addition to the other organisations as set out in our Employee Privacy Notice.

In addition, should you require any reasonable adjustments to your role it may be necessary to contact an external provider for support in understanding your condition and obtaining any specialist equipment. No third party will be contacted without your consent. Third parties may include Occupational Health, Access to Work etc.

The Charity will not transfer your data outside the European Economic Area.

HOW DOES THE CHARITY PROTECT DATA?

The Charity takes the security of your data seriously. The Charity has controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where the Charity 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 measures to ensure the security of data.

FOR HOW LONG DOES THE CHARITY KEEP DATA?

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

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If your application for employment is unsuccessful, the Charity will hold your data on file for 12 months after the end of the relevant recruitment campaign. If you agree to allow the Charity to keep your personal data on file for future employment opportunities, the Charity will hold your data on file for a total of 18 months after the end of the relevant recruitment campaign. At the end of that period, or if you withdraw your consent prior to that date, your data is deleted or destroyed.

Please see Appendix I below.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

YOUR RIGHTS

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

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold on you (as listed above).
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

You also have the right to object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data 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 dataprotection@studentminds.org.uk. Once we have received notification that you have withdrawn your consent, we will no longer process

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your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

If you would like to exercise any of these rights, please contact dataprotection@studentminds.org.uk.

You will not have to pay a fee to understand what personal information we hold on you (or to exercise any of the other rights above) however, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

If you believe that the Charity 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 the Charity during the recruitment process. However, if you do not provide the information, the Charity may not be able to process your application properly or at all.

AUTOMATED DECISION-MAKING

Recruitment decisions are not based solely on automated decision-making.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time. We may also notify you in other ways from time to time about the processing of your personal data.

If you have any questions about this privacy notice, please contact dataprotection@studentminds.org.uk.

GENERAL

The Charity aims to keep policies up to date and right for everyone. Therefore, this policy may be amended from time-to-time, and it does not form part of your contract of employment.

VERSION CONTROL

Date	Amendment	Approved by	Version No.
16/07/2024	Issued	Board of Trustees	1

APPENDIX I – STATUTORY RETENTION PERIODS

Record	Statutory Retention Period	Statutory Authority
Accident books, accident records/reports	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21)	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)(SI 1995/3163) as amended, and Limitation Act 1980.
Accounting records	3 years for private companies, 6 years for public limited companies	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006
Income tax and NI returns, income tax records and correspondence with HMRC	Not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993(SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends	The Statutory Maternity Pay (General) Regulations 1986(SI 1986/1960) as amended
Wage/salary records (also overtime, bonuses, expenses)	6 years	Taxes Management Act 1970