

# Privacy Notice for Job Applicants

## Contents

Data Protection Principles.....	2
Types of Data Held.....	3
Collecting Your Data .....	4
Lawful Basis for Processing .....	4
Special Categories of Data .....	5
Failure to Provide Data.....	5
Who We Share Your Data With.....	5
Protecting Your Data .....	6
Retention Periods .....	6
Automated Decision Making and Profiling.....	7
Your Rights .....	7
Making a Complaint.....	8
Contacting Us Regarding Your Data.....	9

In accordance with the UK General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you, as an applicant, of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

Our details are:

The Tutor Trust, 3rd Floor, Virginia House, 5-7 Great Ancoats Street, Manchester, M4 5AD

Contact number: 0161 833 3055

## **Data Protection Principles**

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose

- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures

### **Types of Data Held**

We keep several categories of personal data on our applicants in order to carry out effective and efficient processes. We keep this data in recruitment files relating to each vacancy and we also hold the data within our computer systems, for example, recruitment logs.

Specifically, we hold the following types of data:

- a) personal details such as name, address, phone numbers;
- b) NI number;
- c) your gender;
- d) right to work documentation;
- e) ethnicity, sexual orientation, and religion (for equality monitoring purposes)
- f) information gathered via the recruitment process such as that entered into an application form or in a cover letter;
- g) details on your education, employment history, membership of professional bodies etc;

## **Collecting Your Data**

You provide several pieces of data to us directly during the recruitment process exercise. No external recruitment agencies are used by us.

If successful, we will collect data about you from third parties, such as former employers when gathering references.

Should you be successful in your job application, we will gather further information from you, for example, your bank details and next of kin details, once your employment begins.

## **Lawful Basis for Processing**

The law on data protection allows us to process your data for certain reasons only.

The information below categorises the types of data processing we undertake and the lawful basis we rely on.

<b>Activity requiring your data</b>	<b>Lawful basis</b>
Carrying out checks in relation to your right to work in the UK	Legal obligation
Processing your application and CV	Legitimate interests
Contacting you about your application	Legitimate interests

## **Special Categories of Data**

The special category data you may provide us, is data relating to:

- Ethnicity
- Sexual orientation
- Religion

We collect special category data from job applicants via the Equality and Diversity Monitoring Form. This is processed based on your consent and explicit consent.

## **Failure to Provide Data**

Your failure to provide us with data may mean that we are unable to fulfil our requirements for entering into a contract of employment with you. This could include being unable to offer you employment, or administer contractual benefits.

## **Who We Share Your Data With**

Employees within our company who have responsibility for recruitment will have access to your data which is relevant to their role. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR. We do not use any third parties during the recruitment process.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us. We have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We do not share your data with bodies outside of the European Economic Area.

## **Protecting Your Data**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

## **Retention Periods**

We only keep your data for as long as we need it for, which, in relation to unsuccessful candidates, is six months.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months once the recruitment exercise ends.

If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for nine months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data and there will be no consequences of withdrawing consent.

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Please note, access to your personal data is restricted to those that require access, dependent on their role at Tutor Trust.

Answers from the Equality and Diversity Monitoring Form are not retained longer than 6 months should you be unsuccessful. The responses may, however, be used for reporting purposes, in an aggregate and anonymised form.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees / tutors, which will be provided to you.

### **Automated Decision Making and Profiling**

Your personal data is not used in any automated decision making (a decision made solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain conditions about an individual).

### **Your Rights**

You have the following rights in relation to the personal data we hold on you:

- g) the right to be informed about the data we hold on you and what we do with it;
- h) the right of access to the data we hold on you. We operate a separate Subject Access Request policy and all such requests will be dealt with accordingly;

- i) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- j) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- k) the right to restrict the processing of the data;
- l) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- m) the right to object to the processing of personal data.
- n) the right to restrict any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent.

If you wish to exercise any of the rights explained above, please contact us directly (details below).

### **Making a Complaint**

If you think your data rights have been breached, we encourage speaking to us first, however you always have the right to raise a complaint with the Information Commissioners Office (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate)

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We have also outsourced our Data Protection Officer, Bulletproof, who can be contacted on [dposupport@bulletproof.co.uk](mailto:dposupport@bulletproof.co.uk).

## **Contacting Us Regarding Your Data**

Contact us with any questions at:

The Tutor Trust, Virginia House, 5-7 Great Ancoats Street, Manchester, M4  
5AD

Telephone: 0161 833 3055

Email: [privacy@thetutortrust.org](mailto:privacy@thetutortrust.org)

We keep this Policy under regular review. This Policy was last updated on 18/07/24.

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.