

Privacy Notice: Prospective Employee Recruitment Data

Version Number	Date of Issue	Date of Review	Date of Next Review	Department	Owner
0.3	05/03/2019	14/09/2020	14/09/2020	Human Resources	Senior Data Protection Officer / Head of HR and OD

Contents

1.	Policy.....	3
2.	Purpose.....	3
3.	Who collects my personal data?	3
4.	Contact details for the WEA Data Protection Officer	4
5.	What personal data does the WEA process?	4
6.	What does the WEA use my personal data for?.....	4
7.	What lawful basis does the WEA use for collecting my personal data?.....	6
8.	Who does the WEA share my personal data with?	10
9.	International transfers of data	10
10.	How long do we keep your personal data?	10
11.	Does the WEA use automated decision making?	Error! Bookmark not defined.
12.	What are my rights?	10
13.	How do I exercise my rights?	11
14.	How do I complain?	11
15.	Review Period	11
16.	Revision History.....	11

1. Policy

The WEA Data Protection Policy states:

*In order to be fair and transparent about our processing activities, the WEA provides individuals with clear information about how we process their personal data. This information is referred to as a **privacy notice**.*

Privacy notices are made available to data subjects at the point of data collection, whether this is via a website, a paper form or over the telephone. The WEA will take steps to ensure this information is concise, transparent, intelligible and easily accessible form, using clear and plain language.

All WEA Privacy Notices include:

- The controller's identity and contact details;
- The Data Protection Officer's contact details;
- What personal data is processed;
- The purposes of the processing;
- The lawful basis for the processing;
- Who the personal data will be shared with;
- Details of any international transfers of personal data;
- The period for which personal data will be stored;
- Details of any automated decision-making using the personal data;
- Details of the data subject's rights and how they can exercise these;
- Details of how to complain to the Information Commissioners Office if unsatisfied.

2. Purpose

This privacy notice is intended to describe how the WEA collects, uses, shares and retains your personal information and informs you about your choices regarding use, access and correction of your personal information. The WEA is committed to ensuring that any personal information it receives is secured and handled in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

3. Who collects my personal data?

Your personal data is collected in England and Scotland by the Workers' Educational Association (WEA), a charity registered in England and Wales (no. 1112775) and in Scotland (no. SC039239).

Address: 4 Luke Street, London, EC2A 4XW
Tel: 0300 303 3464
Email: supportservices@wea.org.uk
Website: wea.org.uk

4. Contact details for the WEA Data Protection Officer

Tel: 0300 303 3464
Email: dataprotection@wea.org.uk
Address: 10B, Josephs Well, Hanover Walk, Leeds, LS3 1AB

5. What personal data does the WEA process?

We may collect the following information up to and including the shortlisting stage of the recruitment process:

- Your name and contact details (title, first name, middle name, surname, address, telephone number, mobile number, email address);
- Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests;
- Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;
- Your gender;
- Your date of birth;
- Information regarding your criminal record;
- Details of your referees.

We may collect the following information after the shortlisting stage, and before making a final decision to recruit:

- *Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers;*
- *Information regarding your academic and professional qualifications;*
- *The results of assessments and tests undertaken to support the interview process;*
- *Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs);*
- *Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information*
- *A copy of your driving licence*
- *Your National Insurance Number*

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked in *italic* above to us to enable us to verify your right to work and suitability for the position.

6. What does the WEA use my personal data for?

The WEA collects and processes your personal data for the following purposes:

Processing your job application - we will use your personal information to check your details are accurate, check you are suitably qualified and eligible to work in the UK, schedule (and manage) interviews, keep you informed about the status of your application, notify you of the outcome of an interview, follow up on your references, undertake a Disclosure and Barring

Service (DBS) check if required, share our policies and privacy information and negotiate a suitable start date if you are successful. This whole process is managed electronically through our online recruitment platform Amris.

Making an informed decision to shortlist, interview and recruit – The WEA will use your personal information to

Meeting our legal obligations – The WEA will use your personal information to ensure that we comply with all legislation that applies to us as an employer for example employment legislation, HMRC regulations, equality & diversity legislation, health and safety legislation, data protection legislation etc.

Complying with our policies and procedures – The WEA will use your personal data in order to comply with its policies and associated procedures.

Producing anonymous statistics – As a charitable organisation we will use some of the personal data we collect to produce anonymous statistics on our applicants for use in evidencing compliance with equality and diversity legislation.

7. What lawful basis does the WEA use for collecting my personal data?

The information we collect	How we collect the information	GDPR Article 6 Lawful Basis	Special Category Data?	GDPR Article 9 Lawful Basis for Special Category / Article 10 Lawful Basis for Criminal Data
Your name and contact details (title, first name, middle name, surname, address, telephone number, mobile number, email address);	From you, in the completed application form, covering letter, curriculum vitae and interview notes (if relevant)	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.	N	
Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests	From you, in the completed application form, covering letter, curriculum vitae and interview notes (if relevant)	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.	N	
Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs	From you, in a completed anonymized equal opportunities monitoring form	6 (c) Legal obligation: the processing is necessary for you to comply with the law.	Y	Article 9 (2) b employment and social security and social protection law.
Your gender	From you, in your completed application form	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the	N	

		individual's personal data which overrides those legitimate interests.		
Your date of birth (age);	From you, in your completed application form	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.		
Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs)	From you, in your completed application form and from the Disclosure and Barring Service (DBS)	6 (c) Legal obligation: the processing is necessary for you to comply with the law.	Y	Article 9 (2) 6 substantial public interest (safeguarding of children and individuals at risk, preventing or detecting unlawful acts, suspicion of terrorist financing or money laundering, and protecting the public against dishonesty).
Details of your referees	From your completed application form	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. [In the regulated sector], 6 (c) Legal obligation: the processing is necessary for you to comply with the law.	N	
Information about your previous academic and/or employment history, including details of any	From your referees (details of whom you will have provided)	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the	N	

conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers		individual's personal data which overrides those legitimate interests. 6 (c) Legal obligation: the processing is necessary for you to comply with the law.		
Information regarding your academic and professional qualifications	From you, from your education provider, from the relevant professional body	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.	N	
The results of assessments and tests undertaken to support the interview process;	From you	6 (f) Legitimate Interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.	N	
Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information	From you and, where necessary, the Home Office	6 (c) Legal obligation: the processing is necessary for you to comply with the law.	Y (ethnicity could be inferred)	Article 9 (2) b employment and social security and social protection law.
A copy of your driving licence	From you	6 (b) Contract: the processing is necessary for a contract you have with the individual, or	Y (ethnicity)	Article 9 (2) 6 substantial public interest (Insurance).



		because they have asked you to take specific steps before entering into a contract.	could be inferred)	
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8. Who does the WEA share my personal data with?

The WEA HR Department may share some or all of your personal data with:

- WEA stakeholders involved with the recruitment process
- Data processing organisations under contract with the WEA
- Recruitment agencies under contract with the WEA
- Statutory bodies (e.g. Safeguarding Authority, Health & Safety Executive, Information Commissioners Office, HMRC, The Home Office, Department for Work and Pensions)
- Our insurance company (Hiscox)
- The Disclosure and Barring Service (DBS)
- Solicitors (Taylor Vinters)
- Your referee (based on contact details provided by you)

If you require more detailed information about who we share personal data with, please contact dataprotection@wea.org.uk

9. International transfers of data

Your data may be transferred internationally. If your data is transferred, WEA will legally safeguard your personal data by:

- Transferring to the EEA countries
- Transferring to an adequate EU country, or a US Privacy Shield company.
- Transferring under “EU Model Clauses” agreement with the importing party.

Owing to the global nature of the Internet infrastructure, the information you provide may be transferred in transit to countries outside the European Economic Area that do not have similar protections in place regarding the protection of your personal data. Where this is the case end-to-end encryption will be employed to transmit the data securely.

10. How long do we keep your personal data?

The WEA will keep your personal information for a period of six months following an unsuccessful application, taking into account the limitation periods for potential claims such as race or sex discrimination. If you are successful in securing employment with the WEA your personal data will become subject to our Employee Privacy Notice.

11. What are my rights?

The right to be informed - the WEA must provide you with information about what we are using your personal data for, why we are using it and how long it will be kept for.

The right of access - at any time, you have the right to obtain access to the personal data the WEA holds about you.

The right to rectification - at any time, you have the right to ask for incorrect, inaccurate or incomplete personal data to be corrected.

The right to erasure - at any time, you have the right to ask for any personal data the WEA holds on you to be erased when it's no longer needed or if holding it is unlawful.

The right to object - at any time you have the right to object to the processing of your personal data for marketing or research purposes.

The right to data portability - at any time you have the right to request that the WEA provides your personal data in a machine-readable format so that you can send it to another organisation or individual.

Rights in relation to automated decision making and profiling

The right to restrict processing - at any time you have the right to request that the WEA restricts the processing of your personal data. This is not an absolute right and only applies in certain circumstances. It means that the WEA can store your personal data but must not do anything with it until the restriction is lifted.

12. How do I exercise my rights?

In order to exercise your rights under the General Data Protection Regulation you must make a Subject Access Request (SAR). You can do this by completing our SAR web form: <https://app-de.onetrust.com/app/#/webform/25919219-0f28-40a4-a522-ab332669e8ac> or by calling our Helpdesk on 02070 967738.

13. How do I complain?

If you are unhappy with the way the WEA has handled your personal data and you would like to make a complaint, please contact our Data Protection Officer.

Tel: 0300 303 3464
Email: dataprotection@wea.org.uk
Address: 10B, Josephs Well, Hanover Walk, Leeds, LS3 1AB

If you don't feel that the WEA has responded to your complaint in a satisfactory manner, you can then raise concerns about the processing of your personal data with the Information Commissioners Office (ICO). Please see: ico.org.uk/concerns or call the ICO on 0303 123 1113.

14. Review Period

This privacy notice should be reviewed every six months by the Senior Data Protection Officer and Data Owner.

15. Revision History

Version Number	Date of Change	Description of Change
0.1	23/01/2019	First draft version for review