



# Recruitment Privacy Notice 2020-21

## 1. Introduction

- 1.1 This Privacy Notice explains how NMITE collects, uses, and shares your personal data and your rights in relation to the personal data we hold.
- 1.2 The organisation collects and processes personal data relating to job applicants as part of any recruitment process. The organisation is committed to being transparent about how it collects and uses that data and to meeting its obligations under data protection law.

## 2. How do we collect your information:

- 2.1 NMITE may collect your personal data in a number of ways, for example:
  - i. We collect the vast majority of the information directly from you;
  - ii. We may obtain personal data about you from third parties, such as references supplied by former employers and possibly information from criminal records permitted by law.

## 3. Types of information we collect:

- 3.1 The organisation collects and processes a range of information about you.

This includes:

  - i. your name, address, and contact details, including email address and telephone number;
  - ii. details of your qualifications, skills, publications, experience, and employment history;
  - iii. membership of work related associations or institutes;
  - iv. information about your current level of remuneration, including benefit entitlements;
  - v. whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
  - vi. information about your entitlement to work in the UK; and
  - vii. equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

## 4. Basis on which we process your data

- 4.1 The organisation needs to process data during the recruitment process 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.



- 4.2 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.
- 4.3 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 candidates suitability for employment and decide to whom to offer the job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.
- 4.4 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.
- 4.5 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.
- 4.6 Occasionally for some 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.
- 4.7 If your application is unsuccessful, you must explicitly tell us if you wish your personal data to be held on file in case there are future employment opportunities for which you may be suited. You are free to withdraw your consent at any time.

## **5. How we use special category data or criminal conviction data:**

- 5.1 Special category data and criminal conviction data require a higher level of protection. It may sometimes be necessary to process this sort of information for exceptional reasons; for example, because it is necessary to protect your vital interests or those of another person. We may also process your special category data to identify your eligibility for certain initiatives aimed at addressing underrepresentation.

## **6. Who has access to your data**

- 6.1 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, administrative or academic area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.



- 6.2 If you have applied through a third party recruitment partner, the organisation will share your details with that partner as part of the recruitment of the vacancy for which you have applied.
- 6.3 The organisations will not share your data with third parties unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers or individuals provided by you to obtain references, employment background checks providers to obtain necessary background checks and the Disclosure and Barring Service to obtain any necessary criminal records checks.
- 6.4 The organisation will not transfer your data outside the European Economic Area.

## **7. How we keep your data safe:**

- 7.1 The organisation takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by our employees in the proper performance of their duties.

## **8. How long is your information kept:**

- 8.1 If your application for employment is unsuccessful, the organisation will hold your data on file for 6 months after the end of the relevant recruitment process. At the end of that period or once you withdraw your consent, your data is deleted or destroyed.
- 8.2 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 employee privacy notice.

## **9. Your rights**

- 9.1 Under the Data Protection Laws, you have the right to:
  - i. Request access to your data (commonly known as a 'subject access request'). This enables you to receive a copy of your data and to check that we are lawfully processing it.
  - ii. Request correction of your data. This enables you to ask us to correct any incomplete or inaccurate data we hold about you.
  - iii. Request erasure of your data. This enables you to ask us to delete or remove your data in certain circumstances; for example, if you consider that there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your data where you have exercised your right to object to processing (see below).



- iv. Object to processing of your data where we are relying on our legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing for this reason. You also have the right to object where we are processing your data for direct marketing purposes.
  - v. Request the restriction of processing of your data. This enables you to ask us to suspend the processing of your data; for example, if you want us to establish its accuracy or the reason for processing it.
  - vi. Request the transfer of your data to another party.
- 9.2 If you have any questions, comments or concerns about how we use or handle your personal data, , please contact [DPO@nmite.ac.uk](mailto:DPO@nmite.ac.uk)
- 9.3 If you are not content with how we handle our information we would ask you to contact our Data Protection Officer to help you. However, you do also have the right to complain directly to the Information Commissioner via their website or via post at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Information about the Information Commissioner is available at [www.ico.org.uk](http://www.ico.org.uk) can complain to the Information Commissioner.

## **10. What if you do not provide personal data:**

- 10.1 You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.

## **11. Automated decision-making**

- 11.1 Recruitment processes are not based solely on automated decision-making.

## **12. Changes to this Privacy Notice:**

- 12.1 This privacy notice may be updated from time to time so you may wish to check it each time you submit personal information to NMITE.

This privacy notice was last updated in November 2020