

## GDPR Candidate Privacy notice, Oasis Community Learning

### What is the purpose of this document?

Oasis Community Learning is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor).

It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### Data Protection Principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and it will not be used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date. (Based on what you have provided to us)
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

### The Information we collect

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided on our application form, including name, title, address, telephone number(s), personal email address, National Insurance Number, information about your entitlement to work in the UK employment history, qualifications, current and previous levels of remuneration and contact details for referees.
- The information you have provided to us in your curriculum vitae and covering letter (if you have submitted one).
- Any information you provide to us during an interview.
- Any paperwork you may provide post interview in the way of a passport, right to work or birth certificate.

We may also collect, store and use the following “special categories” or sensitive personal information:

- Information about your race, gender, national or ethnic origin, religious beliefs, or your sexual orientation.
- Information about criminal convictions and offences in the UK and internationally.
- Information about your medical history and fitness for work.

### How is your information collected?

We collect personal information about candidates from the following sources:

- You, the candidate.
- Your Recruitment Agency, should you be recruited through this route.
- For teaching roles, the NCT Teachers Services whom we check your qualifications and any sanctions against you.
- CCPAS and Disclosure and Barring Service in respect of criminal convictions.
- Your named referees, from whom we collect information about your previous employment details and suitability to work with us.
- A course provider if you list a qualification and we need to confirm details.
- Where applicable overseas police apply and the (potential) employer is required to complete a

check.

### **Why do we process personal data?**

Essentially, we need to process your personal information to decide whether to enter into a contract of employment with you.

It is in our legitimate interests to make an informed decision whether to appoint you to the role that it would be beneficial to our business.

Having received your application form and any other supporting documentation you provide we will then process that information to decide whether you meet the requirements to be shortlisted for the role.

If we decide to call you for an interview, we will use the contact details you have provided to communicate with you about the recruitment process and take up references prior to interview (if you grant us express permission to do so).

We will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role we will then follow-up on any outstanding references and carry out pre-employment checks, as outlined in the OCL Recruitment and Selection Policy, Keeping Children Safe in Education (KCSIE) and DfE Guidance. These include (but are not limited to) confirmation of your Right to Work in the UK; verification of qualifications; satisfactory completion of a Health assessment and successful completion of an enhanced DBS check with barred list check and where applicable overseas police checks.

### **If you fail to provide personal information**

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

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

### **How we use sensitive personal information**

We will use your sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.
- We will use information about your race, gender, national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. We do this with the explicit consent of job applicants, which can be withdrawn at any time.

### **Information about Criminal convictions**

We are obliged to seek information about criminal convictions and offences in the UK and in certain cases internationally. When we seek this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment. We are entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- The role you are applying for is considered an 'excepted post' under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) so is eligible for an enhanced check from the Disclosure and Barring Service.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

### **Automated decision making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Data Sharing**

#### **Why might you share my personal information with third parties?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the academy staff who carry out HR activities, the central People Directorate, shortlisters and interviewers involved in the recruitment process, line managers in the area where the vacancy sits and IT staff if access to the data is necessary for the performance of their roles.

In order to meet our duties under Keeping Children Safe in Education, we are required to obtain references from your former employers as part of the interview process. We will not share your data with third parties for this purpose without your consent.

The organisation will share data with third party employment background check providers to obtain necessary background checks (for example our occupational health provider when required) and the Disclosure and Barring Service to obtain necessary criminal records checks.

We will not transfer your data to countries outside the European Economic Area or any company that is not included in the EU-US Privacy Shield.

We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Data Security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. For more information please refer to the Oasis Community Learning [Privacy Policy](#).

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office (ICO), the UK regulator for data protection issues, of any suspected breach where we are legally required to do so.

### **Data Retention**

#### **How long will you use my information for?**

If your application is unsuccessful, we will retain your personal information for a period of **6 months** after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

What if a candidate is successful? And also for agency staff who are successful and engaged for longer than a month should their information be kept in line with other fixed term/permanent staff?

## Rights of access, correction, erasure and restriction

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”)
- **Request correction** of the personal information that we hold about you.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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.
- **Request the restriction of processing** of your personal information.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Sarah Otto, Data Protection Officer (DPO).

## Data Protection Officer

Our DPO oversees compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO.

Sarah Otto  
Data Protection Officer  
Oasis Community Learning  
Interchurch House, 35-41 Lower Marsh,  
London,  
SE1 7RL  
020 7921 4200 / [DPO@Oasisuk.org](mailto:DPO@Oasisuk.org)

If at any time you believe we have made an error in the way we have processed your personal data, you have the right to make a complaint to the ICO at: [www.ico.org.uk](http://www.ico.org.uk).

I,  (candidate name), acknowledge that on  (date),

I received a copy of Oasis Community Learning's Candidate Privacy Notice and that I have read and understood it.

Signature

Name