

# Applicant privacy notice

## Data controller: The National Association of Special Educational Needs (nasen)

As part of any recruitment process, nasen collects and processes personal data relating to job applicants. nasen is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

## 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 not 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.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

## Data Protection contact

nasen has appointed Chontell Braceland as its Data Protection Officer. Their role is to inform and advise nasen on its data protection obligations. They can be contacted at [dpo@nasen.org.uk](mailto:dpo@nasen.org.uk). Questions about this notice, or requests for further information, should be directed to the data protection officer.

## What personal data does nasen collect?

Personal data is any information about an individual from which that person can be identified. It does not include data where an individual cannot be identified (anonymous data).

nasen collects a range of information about you at different points during the recruitment process. This includes:

- your name, address and contact details, including email address and telephone number;
- 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 organisation needs to make reasonable adjustments during the recruitment process;
- information obtained through testing; and
- information about your entitlement to work in the UK.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information relating to your criminal record disclosure certificate (if relevant).

nasen may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. nasen will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

### **How is your personal information collected?**

nasen may collect this information in a variety of ways. For example, data might be collected through application forms or CVs; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment, such as new starter forms; from correspondence with you; or through interviews, meetings or other assessments.

In some cases, nasen may collect personal data about you from third parties, such as CVs from recruitment agencies, references supplied by former employers, employment background check providers, credit reference agencies and information from criminal records checks permitted by law, from occupational health providers and from medical professionals where relevant.

### **Why does nasen process personal data?**

nasen needs to process data in order to make an assessment of your qualifications, skills and experience related to the job you have applied for. It may also need to process your data to enter into a contract with you.

In some cases, nasen 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.

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

nasen may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics with a view to promoting equality of opportunity. It may also collect information about whether or not applicants are disabled so that reasonable adjustments can be made for candidates who have a disability. nasen processes such information to carry out its obligations and exercise specific rights in relation to employment.

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

nasen will not use your data for any purpose other than the recruitment exercise for which you have applied.

### **Who has access to your 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 a vacancy and IT staff may also have access to the data by virtue of their access to IT systems but would not access the data other than is necessary for the performance of their roles.

Your data will also be shared externally where part of our recruitment activity is outsourced, for example, the HR Services Partnership Ltd who assist us with the administration and management of the recruitment process.

nasen will not share your data with other third parties, unless your application for employment is successful and it makes you an offer of employment. nasen 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.

Any providers are required to take appropriate security measures to protect your personal data in line with Data Protection legislation. 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.

nasen will not transfer your data outside the European Economic Area.

### **How does nasen protect data?**

nasen 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.

### **For how long does nasen keep data?**

If your application for employment is unsuccessful, nasen will hold your data on file for six months after the end of the relevant recruitment process.

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.

### **Your rights**

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

- access and obtain a copy of your data on request;
- require nasen to change incorrect or incomplete data;
- require nasen to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where nasen is relying on its legitimate interests as the legal ground for processing and there is no overriding legitimate interest to continue this processing.

If you would like to exercise any of these rights, please contact Chontell Braceland by email on [dpo@nasen.org.uk](mailto:dpo@nasen.org.uk)

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

### **Automated decision-making**

Recruitment processes are not based on automated decision-making.