



Privacy Notice for Job Applicants

Jersey Recovery College is committed to protecting the privacy and security of your personal information.

Jersey Recovery College Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulations (GDPR).

This notice applies to all job applicants including for voluntary positions and as Members and Directors. It does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

The organisation will 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. The organisation 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.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The categories of information that we collect, hold and (in limited circumstances) share include:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- Date of birth;
- Next of kin and emergency contact information;
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process);
- Copy Disclosure and Barring Service ("DBS") (or equivalent criminal record) check certificate and associated identification documentation; (employees and certain volunteering roles only);
- Conflicts of Interests;
- Photo ID;
- Information about your entitlement to work in the jurisdiction for which you are apply to work (employees only).

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

- Information about whether you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- Information about criminal convictions and offences.

How is your personal information collected?

We collect personal information about job applicants in a variety of ways. For example, data might be contained in CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment. We also collect personal information through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

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

Who has access to your data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes those members of the Board of Directors, College Manager and Administration team as may be involved in the recruitment process.

The organisation will not share your data with third parties, unless your application for employment/volunteering is successful and it makes you an offer of employment/volunteering with The College. The organisation will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary criminal records checks.

Why does the organisation process personal data?

The organisation needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

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 candidate's suitability for employment and decide to whom to offer a job or volunteering role. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The organisation processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

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 specific rights in relation to employment.

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

If your application is unsuccessful, the organisation will keep your personal data on file for six months in line with its recruitment policy in case there are future employment opportunities for which you may be suited. The organisation will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

The lawful basis on which we use this information

We will only use your personal information when the law allows us to. This includes where such information is needed to perform our employment contract with you, where you have consented to such use, in order to protect your vital interests or to enable us to pursue other legitimate interests, subject to preserving your rights and freedoms. The principal situations in which we will process your personal information are listed below:

- Making a decision about your recruitment or appointment;
- Determining the terms on which you work for us;
- Checking you are legally entitled to work in Jersey;
- Business management and planning, including accounting and auditing;
- Assessing qualifications for a particular job;
- Making decisions about your engagement;
- Ascertaining your fitness to work;
- Complying with health and safety obligations; and
- Equal opportunities monitoring.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

How does the organisation protect your data?

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.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection, for example any disability or health issues that you may disclose to us.

We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where we need to carry out our legal obligations; and
- Where it is needed in the public interest, such as for equal opportunities monitoring.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

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

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with carrying out our legal obligations, exercising specific rights in the field of employment law, in connection with legal proceedings or in other limited circumstances. There may be occasions when we request your written consent to process special categories of your personal information for a specific purpose. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policies.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process. We will use information about criminal convictions and offences in order to manage the job applicant appropriately.

Your rights in connection with personal information

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

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

Please contact our College Manager, Beth Moore, (Tel: 01534 505977 / email beth.moore@recovery.je) as a first point of contact in relation to any of the above requests.

For how long does the organisation keep data?

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 will be deleted or destroyed.

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us – by contacting the JRC office.

What if you do not provide personal data?

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.

Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this Privacy Notice. If you have any questions about this privacy notice or how we handle your personal information, please contact our DPO, **Kate Hamilton** at kate.hamilton@recovery.je; tel: 07700 352062.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office (ICO), Jersey's supervisory authority for data protection issues.