

## Introduction

The City & Guilds Group is committed to data security and the fair and transparent processing of personal data. This privacy notice (Notice) sets out how we will treat the personal data which you provide to us in compliance with applicable data protection law, in particular the General Data Protection Regulation (EU) 2016/679 (GDPR).

Please read this Notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data, how to contact us and supervisory authorities in the event that you would like to report a concern about the way in which we process your data.

## Who are we?

The City and Guilds of London Institute is a charity incorporated by Royal Charter, with registered charity number 312832 (England and Wales) and SC039576 (Scotland) (City & Guilds). Our registered address is 1 Giltspur Street, London EC1A 9DD.

For the purposes of the GDPR, the member of the City & Guilds Group who is named as the employer on your employment contract is the 'controller' of the personal data you provide to City & Guilds or one of our associated companies in relation to your employment (together the City & Guilds Group).

This privacy notice sets out the basis on which members of the City & Guilds Group process personal data relating to your application for employment or as a role as an independent contractor.

## What personal data do we collect?

As part of any recruitment process, the City & Guilds Group collects and processes personal data relating to job applicants and Associate applicants. The City & Guilds Group is committed to being transparent about how it collects and uses that data, and to meeting its data protection obligations.

We may collect and process personal data relating to your applicable for employment or an independent contract, this may include any of the following personal data:

- Your name, 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 about your criminal record (Gen2);
- Information about your entitlement to work in the UK; and

- Associate specialism, e.g. EQA, IEPA Assessor, LIEPA, Moderator, Examiner.

The City & Guilds Group collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport and other identity documents, or collected through interviews or other forms of assessments, including online testing.

Data will be stored in a range of different places, including in your application record contained in an on-line applicant tracking system (ATS), in HR management systems, line manager filing systems, and on other IT systems (including email).

### **Information we receive from other sources**

The City & Guilds Group will also collect personal data about you from third parties, such as references supplied by former employers, and information from criminal records checks (Gen2). A member of the City & Guilds Group 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.

### **Information about other people**

If you provide information to us about any person other than yourself, such as your relatives, next of kin, or referees, you must ensure that they understand how their information will be used, and that they have given their permission for you to disclose it to us and for you to allow us to use it.

### **Sensitive personal data**

We may collect certain sensitive personal data from you (that is, information about your racial or ethnic origin, political opinions, religious beliefs, trade union activities, age range, physical or mental health, sexual life, or details of criminal offences, or genetic or biometric data). However, we will only do so on the basis of your explicit consent.

### **How do we use your personal data?**

The City & Guilds Group needs to process your data to take the necessary steps prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

The City & Guilds Group 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. The City & Guilds Group may also need to process data from job applicants to respond to, and defend against, legal claims.

In some cases, the City & Guilds Group 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.

A member of the City & Guilds Group may process health information if it needs to make reasonable adjustments to the recruitment process for candidates with a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where a member of the City & Guilds Group processes other special categories of personal data, such as information about ethnic origin, sexual orientation, age range, health or religion or belief, this is done for the purposes of equal opportunities and diversity monitoring.

For some roles (Gen2), the City & Guilds Group is obliged to seek information about criminal convictions and offences, and may include undertaking a Disclosure and Barring Service (DBS) check. 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.

If your application is unsuccessful, the City & Guilds Group may keep your personal data on file in case there are future employment opportunities for which you may be suited. The City & Guilds Group will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

Where required by law: we may also process your personal data if required by law, including responding to requests by government or law enforcement authorities, or for the prevention of crime or fraud.

You have the right to object to the processing of your personal data on the basis of legitimate interests as set out below, under the heading 'Your rights'.

### **Who do we share your personal data with?**

We may share your personal data with members of the City & Guilds Group. You can read more about our group companies at [www.cityandguildsgroup.com](http://www.cityandguildsgroup.com)

Your information will be shared internally for the purposes of the recruitment exercise. We take all reasonable steps to ensure that our staff protect your personal data and are aware of their information security obligations. We limit access to your personal data to those who have a genuine business need to know it, including members of the HR team and interviewers involved in the recruitment process.

Members of the City & Guilds Group may share your data with third parties to run a candidate assessment process, for instance a gamification exercise to test natural preferences, or psychometric testing. Recruitment processes are not based solely on this information, nor are they based on automated decision-making.

We will ensure there is a contract in place with the categories of third parties listed above which include obligations in relation to the confidentiality, security, and lawful processing of any personal data shared with them.

The City & Guilds Group will share your data with third parties if your application for employment is successful and it makes you an offer of employment. The City & Guilds Group will share your data with former employers to obtain references for you and the Disclosure and Barring Service, where applicable to the role, to obtain the necessary criminal records checks.

Where a third party recipient is located outside the European Economic Area, we will ensure that the transfer of personal data will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission where the data protection authority does not believe that the third country has adequate data protection laws.

We will share personal data with law enforcement or other authorities if required by applicable law.

### **How long will we keep your personal data?**

If your application for employment is unsuccessful, the City & Guilds Group will hold your data on file for 6 months after the end of the relevant recruitment process. If requested, and you consent to the City & Guilds Group keeping your personal data on file, this will be retained for 2 years for consideration for future employment opportunities. At the end of that period (or once you withdraw your consent), your data will be deleted or destroyed.

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 period for which your data will be held will be provided to you in the City & Guilds Group Employee Privacy Notice.

### **Where do we store your personal data and how is it protected?**

We take reasonable steps to protect your personal data from loss or destruction.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Where you have a username or password (or other identification information) which enables you to access certain services or parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted to our site; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access.

### **What if you do not provide us with your personal data?**

You are under no statutory or contractual obligation to provide data to the City & Guilds Group during the recruitment process. However, if you do not provide the information, the City & Guilds Group 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. There are no consequences for your application if you choose not to provide such information.

### **Your rights**

Under the GDPR, you have various rights with respect to our use of your personal data:

#### **Right to Access**

You have the right to request a copy of the personal data that we hold about you by contacting us at the email or postal address given below. Please include with your request information that will enable us to verify your identity. We will respond with 30 days of request. Please note that there are exceptions to this right. We may be unable to make all information available to you if, for example, making the information available to you would reveal personal data about another person, if we are legally prevented from disclosing such information. Or if your request is manifestly unfounded or excessive.

#### **Right to rectification**

We aim to keep your personal data accurate and complete. We encourage you to contact us using the contact details provided below to let us know if any of your personal data is not accurate or changes, so that we can keep your personal data up-to-date.

#### Right to erasure

You have the right to request the deletion of your personal data where, for example, the personal data is no longer necessary for the purposes for which they were collected, where you withdraw your consent to processing, where there is no overriding legitimate interest for us to continue to process your personal data, or your personal data has been unlawfully processed. If you would like to request that your personal data is erased, please contact us using the contact details provided below.

#### Right to object

In certain circumstances, you have the right to object to the processing of your personal data where, for example, your personal data is being processed on the basis of legitimate interests and there is no overriding legitimate interest for us to continue to process your personal data, or if your data is being processed for direct marketing purposes. If you would like to object to the processing of your personal data, please contact us using the contact details provided below.

#### Right to restrict processing

In certain circumstances, you have the right to request that we restrict the further processing of your personal data. This right arises where, for example, you have queried the accuracy of the personal data we hold about you and we are verifying the information, you have objected to processing based on legitimate interests and we are considering whether there are any overriding legitimate interests, or the processing is unlawful and you elect that processing is restricted rather than deleted. Please contact us using the contact details provided below.

#### Right to data portability

In certain circumstances, you have the right to request that some of your personal data is provided to you, or to another data controller, in a commonly used, machine-readable format. This right arises where you have provided your personal data to us, the processing is based on consent or the performance of a contract, and processing is carried out by automated means. If you would like to request that your personal data is ported to you, please contact us using the contact details provided below.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

#### Contact

If you have any queries about this Notice, the way in which members of the City & Guilds Group processes personal data, or about exercising any of your rights, please send an email to [gdpr@cityandguilds.com](mailto:gdpr@cityandguilds.com) or write to Data Protection, City & Guilds, 1 Giltspur Street, London EC1A 9DD.

### **Complaints**

If you believe that your data protection rights may have been breached, and we have been unable to resolve your concern, you may lodge a complaint with the applicable supervisory authority or seek a remedy through the courts. Please visit <https://ico.org.uk/concerns/> for more information on how to report a concern to the UK Information Commissioner's Office.

### **Changes to our Privacy Notice**

Any changes we may make to our Notice in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Notice.