

APPLICANT PRIVACY NOTICE



BRITISH STUDY CENTRES
School of English

This privacy notice applies to all applicants who apply for a role via our website: www.british-study.com/jobs

1. WHAT IS THE PURPOSE OF THIS DOCUMENT?

The BSC Group Limited (including its subsidiaries British Study Centres Limited, Experience English Limited and British Study Centres Teacher Training Limited) ('the Company', 'we', 'us') are committed to protecting the rights and freedoms of your personal information, and to safely and securely processing your data in accordance with all of our legal obligations.

This privacy notice describes how we collect and use personal information about you during the recruitment process in accordance with the General Data Protection Regulation (GDPR).

It applies to all applicants including employees, workers, interns, volunteers and contractors.

The Company is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

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.

2. DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

3. THE KIND OF INFORMATION WE HOLD ABOUT YOU

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

- The information you have provided to us in your curriculum vitae and covering letter files.
- The information you have provided by applying for the role via our website and HR system, including but not limited to: Personal contact details such as name, address, telephone number, email address, date availability, desired pay, social media links, employment history, qualifications, reference details
- Any information you provide to us during an interview
- Any other information collected from test scores or other work-performance activities you may undertake as part of the selection process
- Recruitment information (including copies of right to work documentation and references).
- Employment records (including job titles, work history, working hours, training records and professional memberships).

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

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.
- Optional information you may have provided to us by applying for the role via our website and HR system including gender and ethnicity

4. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We typically collect personal information about applicants 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 or education providers, credit reference agencies or other background check agencies. Such as: Disclosure & Barring Service, National College for Teaching and Leadership, Civil & Corporate, National Vetting Bureau, Disclosure Scotland and Sherrards Occupational Health.

5. HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. To assess your skills, qualifications and suitability for the role you have applied for.
2. To communicate with you about the recruitment process.
3. Where we need to comply with a legal obligation.
4. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

6. SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL INFORMATION

We need all the categories of information in the list above (see 'The kind of information we hold about you') primarily to allow us to make a decision about your recruitment or appointment (*) and to enable us to comply with legal obligations (**). In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties (***), provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below. We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.

- 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 the UK. **
- Making decisions about salary and compensation. *
- Assessing qualifications for a particular job or task. *
- Education, training and development requirements. *
- Ascertaining your fitness to work. **
- Complying with health and safety obligations. **
- Complying with safeguarding obligations. **
- To prevent fraud. ***
- 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.

7. IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

If you fail to provide certain information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we may not be able to process your application successfully. For example, if we require references and you fail to provide us with the relevant details, we will not be able to take your application further.

8. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent. Such as completing optional fields during the application stage.
2. Where we need to carry out our legal obligations and in line with our Recruitment Policy.
3. Where it is needed in the public interest, such as for equal opportunities monitoring.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

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 may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

9. OUR OBLIGATIONS AS AN EMPLOYER

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 and to provide appropriate workplace adjustments.
- We will use information about your ethnicity, gender and disability, to ensure meaningful equal opportunity monitoring and reporting.

10. DO WE NEED YOUR CONSENT?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. 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.

11. 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 Recruitment Policy.

It is likely that we will collect criminal information during the recruitment process to satisfy ourselves that you are suitable to work in an environment with children and vulnerable adults.

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 to make a decision on hiring.

12. AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

13. DATA SHARING

We may have to share your data with third parties, including third-party service providers (HR recruitment system) and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

14. WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?

We may share your personal information with third parties where required by law, where it is necessary to administer entering a working relationship with you or where we have another legitimate interest in doing so.

15. WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY PERSONAL INFORMATION?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: HR recruitment/hiring system functionality and criminal checks.

16. HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS AND OTHER ENTITIES IN OUR GROUP?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. 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.

17. WHEN MIGHT YOU SHARE MY PERSONAL INFORMATION WITH OTHER ENTITIES IN THE GROUP?

We will share your personal information with other entities in our group as part of our regular reporting activities and in content of recruitment.

18. TRANSFERRING INFORMATION OUTSIDE THE EU

We may transfer the personal information we collect about you outside the EU in order to perform overseas pre-employment checks.

To ensure that your personal information does receive an adequate level of protection we are putting in place appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection.

19. DATA SECURITY

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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.

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

20. DATA RETENTION

20.1. HOW LONG WILL YOU USE MY INFORMATION FOR?

We will only 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 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 use our best endeavours to securely destroy your personal information.

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

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

20.2. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

20.2.1. 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 application with us.

20.2.2. 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.
- 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 Angela Mynott our Data Protection Officer in writing.

20.2.3. NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

20.2.4. WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

21. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact Angela Mynott DPO. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

22. 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 the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

23. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time.

If you have any questions about this privacy notice, please contact our DPO:

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