

## City & Guilds Job Applicants and Independent Contract Applicants Privacy Notice

### Introduction

City & Guilds is committed to data security and the fair and transparent processing of personal data. This privacy notice (Notice) sets out how City & Guilds treats the personal data of Website visitors in compliance with applicable data protection law, including the General Data Protection Regulation (EU) 2016/679 (EU GDPR), the UK GDPR and Data Protection Act 2018 (DPA).

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 5-6 Giltspur Street, London EC1A 9DE.

For the purposes of applicable data protection law, including the UK GDPR and DPA, City & Guilds is the 'controller' of the personal data you provide to City & Guilds in relation to your application.

This privacy notice sets out the basis on which the City & Guilds businesses process personal data relating to your application as a contractor.

### What personal data do we collect?

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

We collect and process personal data within your application, 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;
- Whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- Information about your entitlement to work in the UK; and
- Associate specialism, e.g. EQA, IEPA, Moderator, Examiner. City & Guilds collects this information in a variety of ways. For example, data might be contained in application forms, CVs & CPD logs, or collected through a selection process.

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

### Sensitive personal data

If you chose to complete our Diversity, Equity & Inclusion Monitoring Form, we will be collecting data about your ethnicity, health, sexual preference, and religious beliefs. This data will be kept strictly confidential, and will only be processed for the purpose of ensuring that we're being fair in our recruitment and contracting, with all backgrounds being represented.

We may also collect and/or be provided with special category data, such as data about your physical or mental health or condition, to enable us to administer requests for reasonable adjustments. Such data should only be collected and/or provided to us if you have provided your explicit consent or if we

are otherwise permitted to receive and process it under applicable data protection law (including as set out below).

If you are applying to become an Associate, we request that you provide details of any criminal convictions, and the penalty imposed, whether or not regarded as spent under the Rehabilitation of Offenders Act 1974.

This data will be shared with City & Guilds Safeguarding Team. You are also asked to provide your reference if you are Disclosure and Barring Service (DBS) approved, as this may be a requirement of the role.

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

City & Guilds 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.

City & Guilds 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 whether to offer an Associate role. City & Guilds may also need to process data from job applicants to respond to, and defend against, legal claims.

In some cases, City & Guilds 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 City & Guilds may process health information if it needs to make reasonable adjustments to the recruitment, selection and training processes for candidates with a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where City & Guilds 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.

If your application is unsuccessful, City & Guilds will keep your personal data on file within the stated retention period.

**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?**

In some circumstances we share personal data within the City & Guilds business, including City & Guilds companies registered in the UK and outside of the UK, to maintain and improve current and future services, customer engagement, and sales opportunities across our business. See our other companies' [privacy notices](#) for more information

Any shared access of personal data is subject to restrictions both legally and contractually. 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. You can find out more about the City and Guilds business here [About us | City & Guilds \(cityandguilds.com\)](#)

Your information will be shared internally for the purposes of the recruitment process. 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.

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.

City & Guilds will share your data with third parties if your application for employment is successful and it makes you an offer of employment.

Where a third party recipient is located outside the UK, European Economic Area, or any other approved country or territory, we will ensure that the transfer of personal data is protected by appropriate safeguards, including international data transfer agreements in the UK, and the use of standard data protection clauses adopted or approved by the European Commission when applicable.

We will share personal data with law enforcement or other authorities if required by applicable law. You should be aware that, where personal data is shared with a public authority, it will become subject to the Freedom of Information Act 2000 (FOIA) and may potentially fall within the scope of any future FOIA request made to such public authority.

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

If your application for work is unsuccessful, City & Guilds will hold your data on file for 18 months after the end of the relevant recruitment process. Applicants will be notified when their information is being deleted, and given the opportunity to utilise our Expression of interest form or to apply for current live roles. At the end of that period (or once you withdraw your consent), your data will be deleted or destroyed.

If your application for work 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 [Associate Privacy Notice | City & Guilds](https://cityandguilds.com/associate-privacy-notice) ([cityandguilds.com](https://cityandguilds.com))

### **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 City & Guilds during the recruitment process. However, if you do not provide the information, City & Guilds 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 applicable data protection law, 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 applicable data protection law 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 City & Guilds processes personal data, or about exercising any of your rights, please send an email to [dp@cityandguilds.com](mailto:dp@cityandguilds.com) or write to Data Protection, City & Guilds, 5-6 Giltspur Street, London EC1A 9DE

### **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.