



## Job Applicant Privacy Notice

Data Controller: Norwich University of the Arts

As part of any recruitment process, Norwich University of the Arts collects and processes personal data relating to job applicants. The University is committed to being transparent about how it collects and uses that data and to meeting its obligations under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA).

### What information the University collects

The University collects a range of personal data about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience, and employment history; and
- information about your current and previous level of remuneration, including benefit entitlements.

The University may also collect and process 'sensitive personal data' under the DPA, and 'special categories of data' under the UK GDPR including:

- any disability you may have, for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or beliefs.

For some roles, the University is also obliged to seek information about criminal convictions and offences.

### How and why we collect this information

The University collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

The University will also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks where this is required for the specific role. The University 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.

We collect personal information from you for a range of purposes. The University complies with the provisions of the Data Protection Act 2018 which sits alongside the UK General Data Protection

Regulation (UK GDPR). Article 6 of the UK GDPR defines six different lawful grounds for an organisation to be permitted to process personal data, and the University is legally obliged to determine and advise you of under which of the legal bases the different categories of your personal data is processed. These are as follows:

The University needs to process data prior to and on entering any contract with you and relies on Article 6(1)(b), '*for the performance of a contract (or negotiations entering into a contract)*' as its legal basis for doing so.

The University will rely on Article 6(1)(c) '*legal obligation*' when processing of your personal data is absolutely necessary for the University to comply with a legal obligation. As an example, it is a legal requirement that we check a successful applicant's eligibility to work in the UK before their employment starts.

The University will rely on Article 6(1)(f), '*legitimate interests*' as its legal basis where we judge the use of the personal data to be within our legitimate interests. We have given consideration as to whether those interests are overridden by the rights and freedoms of employees or workers and conclude that they are not, as processing data from job applicants allows the University to manage the recruitment process, assess and confirm a candidate's suitability for employment, and decide to whom to offer a position. In addition, the University may also need to process data from job applicants to respond to and defend against legal claims.

Some of the personal information collected, held, and processed will be classed as 'sensitive personal data' also known as 'special category personal data.' Where the University processes special categories of data, such as information about ethnic origin, sexual orientation, health, or religion or belief, this is for equal opportunities monitoring purposes in relation to the Equality Act 2010. The University also processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to conduct its obligations and exercise specific rights in relation to employment. Access to and the sharing of this kind of 'special category' personal information is strictly controlled. The University's legal bases for processing this sensitive data under Article 6 of the UK GDPR are Article 6(1)(e), '*for the performance of a public task in the public interest*' and Article 6(1)(f), '*legitimate interests*'. In addition, for sensitive data, the University is required to identify an appropriate lawful condition under Article 9 of the UK GDPR which is Article 9(2)(a) '*explicit consent*'.

For some roles, the University is obliged to seek information about criminal convictions and offences. Where the University seeks this information, it does so under Paragraph 1 of Schedule 1 of the Data Protection Act 2018 because it is necessary for it to undertake its obligations and exercise specific rights in relation to employment.

## How we use your information

The University will use your data only for the purposes of the recruitment exercise for which you have applied, as detailed in the section above. 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. The University 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.

## Who we might share your information with

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the Human Resources Department, interviewers involved in the recruitment process, and managers in the department/faculty with a vacancy and managers with responsibility for approval of appointments to the University.

The University will not share your data with third parties unless your application for employment is successful and it makes you an offer of employment. The University will then share your data with former employers to obtain references for you and the Disclosure and Barring Service to obtain necessary criminal records checks (if required for the role).

The organisation will not transfer your data outside the European Economic Area.

## How long we keep your information

If your application for employment is unsuccessful, the organisation will hold your data on file for 12 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

Under data protection law, you have rights including:

- Your right of access - You have the right to ask us for copies of your personal information (this is known as a Subject Access Request or SAR).
- Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.
- Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.
- Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

It is important to note that some of these rights are not absolute and will depend on the circumstances. Please contact our Data Protection Officer at [dataprotection@norwichuni.ac.uk](mailto:dataprotection@norwichuni.ac.uk) if you wish to make a request or have any queries.

The [Information Commissioners website](#) provides more information on data rights.

## What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the University during the recruitment process. However, if you do not provide the information, the University may not be able to process your application properly or at all.

## How to contact us

If you require further information or have any concerns about how your personal information is held and processed by us, please email the University's Data Protection Officer at [dataprotection@norwichuni.ac.uk](mailto:dataprotection@norwichuni.ac.uk) or write to us at Data Protection Officer, Norwich University of the Arts, Francis House, 3 -7 Redwell St, Norwich NR2 4SN.

You can also complain to the ICO if you are unhappy with how we have used your data.  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

ICO Helpline number: 0303 123 1113  
ICO website: <https://www.ico.org.uk>

## Changes to this privacy notice

We keep our privacy notices under regular review.

This privacy notice was last updated on 17 August 2023