

<b>Company Name:</b>	Empowering Learning Ltd ('the Company')
<b>Company Contact details:</b>	David Millard, Compliance Director and Data Processing Officer Empowering Learning Ltd, 17 <sup>th</sup> Floor Portland House Bressenden Place, London SW1E 5RS
<b>Document DP5A</b>	Privacy Notice (when personal data is obtained from the Data Subject)
<b>Topic:</b>	Data Protection
<b>Date:</b>	April 2018
<b>Version:</b>	001

The Company is a recruitment business which provides work-finding services to its clients and work-seekers. The Company must process personal data (including sensitive personal data) so that it can provide these services – in doing so, the Company acts as a data controller.

You may give your personal details to the Company directly, such as on an application or registration form or via our website, or we may collect them from another source such as a jobs board. The Company must have a legal basis for processing your personal data. For the purposes of providing you with work-finding services and/or information relating to roles relevant to you, we will only use your personal data in accordance with the terms of the following statement.

## 1. Collection and use of personal data

### a. Purpose of processing and legal basis

The Company will collect your personal data (which may include sensitive personal data) and will process your personal data for the purposes of providing you with work-finding services. The legal bases we rely upon to offer these services to you is:

- Legal obligation
- Contractual obligation
- Consent.

### b. Recipient(s) of Data

The Company will process your personal data and/or sensitive personal data with the following recipients:

- Disclosure and Barring Service (DBS)
- The National College for Teachers and Leadership (NCTL)
- Education Workforce Council (EWC) Wales
- Teachers' Pensions for Barred List Checks
- Client schools and education institutions we work with for work-finding services.

### **c. Statutory/Contractual Requirement**

Your personal data is required by law and/or a contractual requirement (e.g. our client may require this personal data), and/or a requirement necessary to enter into a contract. You are obliged to provide the personal data and if you do not the consequences of failure to provide the data are:

- The Company will be unable to provide work-finding services.

## **2. Overseas Transfers**

The Company may transfer only the information you provide to us to countries outside the European Economic Area ('EEA') for the purposes of providing you with work-finding services. We will take steps to ensure adequate protections are in place to ensure the security of your information. The EEA comprises the EU member states plus Norway, Iceland and Liechtenstein.

## **3. Data Retention**

The Company will retain your personal data only for as long as is necessary. Different laws require us to keep different data for different periods of time.

The Conduct of Employment Agencies and Employment Businesses Regulations 2003, require us to keep work-seeker records for at least one year from (a) the date of their creation or (b) after the date on which we last provide you with work-finding services.

We must also keep your payroll records, holiday pay, sick pay and pensions auto-enrolment records for as long as is legally required by HMRC and associated national minimum wage, social security and tax legislation.

Where the Company has obtained your consent to process your personal and sensitive personal data, including:

### **Personal Data**

- Name;
- Date of birth;
- CV / resume;
- Contact details, including telephone number, email address and postal address;
- Photograph;
- Proof of Address, including financial or utility statements;
- Experience, training and qualifications;
- Teacher Registration Number (TRN) / Teacher registration Document(s);
- National Insurance Number;
- Passport and/or visa / Biometric Residence Permit (BRP);
- National Identity Card;
- Driving Licence;
- Birth Certificate and/or marriage or Civil Partnership certificate and/or other change of name documentation;
- Bank account detail; and,

### **Sensitive Personal Data**

- Disability/health condition relevant to the role
- Ethnicity and next of kin details (non-compulsory)
- Criminal conviction through Disclosure and Barring Service (DBS), and Overseas Police Clearance (if applicable)
- Ongoing online DBS Update Service checks (if applicable)
- Online Barred List checks through Teacher Pensions Online
- Online status checks against qualifications and sanctions (through NCTL check) for teachers and/or through the Education Workforce Council (EWC) for candidates in Wales
- References from previous employers;

we will do so in line with our retention policy. Upon expiry of that period the Company will seek further consent from you. Where consent is not granted the Company will cease to process your personal data and sensitive personal data.

## **4. Your Rights**

Please be aware that you have the following data protection rights:

- The right to be informed about the personal data the Company processes on you;
- The right of access to the personal data the Company processes on you;
- The right to rectification of your personal data;
- The right to erasure of your personal data in certain circumstances;
- The right to restrict processing of your personal data;
- The right to data portability in certain circumstances;
- The right to object to the processing of your personal data that was based on a public or legitimate interest;
- The right not to be subjected to automated decision making and profiling; and
- The right to withdraw consent at any time.

Where you have consented to the Company processing your personal data and sensitive personal data, you have the right to withdraw that consent at any time by contacting David Millard, Compliance Director and Data Protection Officer, Empowering Learning Ltd, 17<sup>th</sup> Floor Portland House, Bressenden Place, London SW1E 5RS.

## **5. Complaints or Queries**

If you wish to complain about this privacy notice or any of the procedures set out in it please contact: David Millard, Compliance Director and Data Protection Officer, Empowering Learning Ltd, 17<sup>th</sup> Floor Portland House, Bressenden Place, London SW1E 5RS.

You also have the right to raise concerns with Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/concerns/>, or any other relevant supervisory authority should your personal data be processed outside of the UK, if you believe that your data protection rights have not been adhered to.