



# Kellogg College Applicant Privacy Notice

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**Kellogg College is committed to protecting the privacy and security of your personal information ('personal data'). As a Society of the University of Oxford, Kellogg College operates in accordance with University policies and procedures. Our Privacy Notices are produced in line with the University of Oxford's commitments to data privacy. Further information may be found on the University of Oxford [Privacy Notices page](#).**

This privacy policy describes how we collect and use your personal data during and after your employment or work with us, in accordance with the General Data Protection Regulation (GDPR) and related UK data protection legislation. It is important that you read this policy, together with any other privacy policy we may provide on specific occasions when we are collecting or processing information about you, so that you are aware of how and why we are using the information.

If you have any queries about this notice, please contact the College Administrator in the first instance via the email: [college.administrator@kellogg.ox.ac.uk](mailto:college.administrator@kellogg.ox.ac.uk)

## 1. Introduction

This policy applies to applicants for employment including applicants to the Temporary Staffing Service (TSS). If you have been offered and have accepted employment with us then our staff privacy policy (available here) will apply.

## 2. What is Personal Data?

Where we refer in this policy to your 'personal data', we mean any recorded information that is about you and from which you can be identified, whether directly or indirectly. It does not include data where your identity has been removed (anonymous data).

Where we refer to the 'processing' of your personal data, we mean anything that we do with that information, including collection, use, storage, disclosure, deletion or retention.

## 3. Who is using your personal data?

The University of Oxford<sup>1</sup> is the "data controller" for the information that we obtain from you or others as a result of your application for employment. This means that we decide how to use it and are responsible for looking after it in accordance with the GDPR.

Access to your data within the University will be provided to those staff who need to view it as part of their work in carrying out the purposes set out in the How We Use Your Data section. It will also be shared with the third parties described in Data Sharing with Third Parties.

This policy does not form part of any contract of employment or other contract to provide services. We may update this policy at any time.

What types of data we hold about you.

The information we hold about you may include the following:

- Personal details, including name, title, address, telephone number, email address, date of birth;
- The information in your application, including copies of right to work documentation, references, a CV, cover letter and previous employment details including information about

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<sup>1</sup> The University's legal title is the Chancellor, Masters and Scholars of the University of Oxford

live disciplinary proceedings and sanctions, and upheld allegations of bullying and harassment and research misconduct;

- Any information you provide to us during an interview.
- We may also collect, store and use the following "special categories" of more sensitive personal information:
  - Information required for equality and diversity monitoring (such as your race or ethnicity, religious beliefs, sexual orientation and/or your health, including any disability and/or medical condition);
  - Information about criminal convictions and offences.

Please note that the information collected in the equality and diversity monitoring section will not form part of the assessment of your application.

#### 4. How we obtained your data

We collect the vast majority of information directly from you, when you complete the online application form. We also obtain information from third parties, such as referees, recruitment agencies and background check providers.

If you fail to provide information when requested, which is necessary for us to consider your application, we will not be able to fully process your application. For example, if we require a reference for the role and you fail to provide us with relevant details, we will not be able to take your application further.

#### 5. How we use your data

We process your information for a number of purposes arising from your application for employment, including to assess your skills and suitability for the relevant role, to communicate with you about the recruitment process, to carry out background and reference checks and to keep records relating to our recruitment process. It is necessary for us to process your data for these purposes in order to meet our legitimate interests relating to recruitment administration, or because you have asked us to take steps prior to entering into a contract or because it is necessary for us to comply with our legal obligations, such as those relating to the monitoring of equal opportunities.

There may be situations where we ask for your consent to process your data e.g. where we ask you to volunteer information about yourself or where we ask for your permission to share sensitive information.

If your application is successful and you work on an externally-funded project or apply for an externally-funded grant, information that you have provided as part of your application may be shared with the providers of that external funding to the extent that sharing is required by the funding terms.

#### 6. Special Category Data and Criminal Conviction Data

Special category data and criminal conviction data require a higher level of protection. Listed below are examples of processing activities that we regularly undertake in respect of these types of data. In addition to the activities listed below, it may sometimes be necessary to process this sort of information for exceptional reasons, for example, because it is necessary to protect your vital interests or those of another person.

### *Health (including disability)*

We will process information about your health in order to make any arrangements or adjustments required in relation to your application e.g. to arrange access for interviews, and/or to monitor equal opportunities. This processing is necessary to meet our legal obligations.

### *Criminal conduct*

Data about unspent criminal convictions is collected for all applicants for employment. Data about spent criminal convictions or any barring decisions will only be collected if you have applied for and been appointed to particular posts where this requirement has been explicitly stated and you have consented to it and where we are legally required to seek this information. If a post requires any additional pre-employment screening, you will be advised before the screening takes place.

Processing of this nature is necessary to meet our legal obligations, and will be subject to suitable safeguards.

### *Racial or ethnic origin, sexual orientation and religious belief*

Data about your racial and ethnic origin, sexual orientation or religious belief will only be processed where you have volunteered it and where we need to process it in order to meet our statutory obligations under equalities and other legislation. This processing is considered to meet a substantial public interest.

## 7. Data Sharing with Third Parties

In order to process your application, we may, from time to time, need to share your information with the following types of organisation:

- With one or more external organisations (such as colleges<sup>2</sup> or the NHS), where they are party to the recruitment process;
- External companies providing services to us, for example, recruitment or vetting agencies, or recruitment systems' IT support;
- The governmental departments or agencies responsible for immigration;
- Our internal and external auditors;
- Previous employers, including referees.
- Where information is shared with third parties, we will seek to share the minimum amount necessary.

All third-party service providers that process data on our behalf are required to take appropriate security measures to protect your data in line with our policies. We do not allow them to use your data for their own purposes. We permit them to process your data only for specified purposes and in accordance with our instructions.

## 8. Transfer of Data Overseas

We may store the data collected manually or electronically. Electronic data may be transferred to, and stored at, a destination outside the UK, for example, where you have nominated a referee outside the UK or if a member of the recruitment panel is located overseas. Such transfers will only take place if one of the following applies:

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<sup>2</sup> College means any college or Permanent Private Hall

- the country receiving the data is considered by the UK to provide an adequate level of data protection, this includes countries in the European Economic Area;
- the organisation receiving the data is covered by an arrangement recognised by the UK as providing an adequate standard of data protection;
- the transfer is governed by approved contractual clauses;
- the transfer has your consent;
- the transfer is necessary for the performance of a contract with you or to take steps requested by you prior to entering into that contract;
- the transfer is necessary for the performance of a contract with another person, which is in your interests;
- the transfer is necessary in order to protect your vital interests or of those of other persons, where you or other persons are incapable of giving consent;
- the transfer is necessary for the exercise of legal claims; or
- the transfer is necessary for important reasons of public interest.

## 9. Retention Period

We will only retain your data for as long as we need it to fulfil our purposes, including any relating to legal, accounting, or reporting requirements.

If you are recruited, your data will be retained on the terms of our staff privacy policy which is available [here](#).

If you are unsuccessful, your data will be deleted no more than 26 months after the final decision is recorded on the vacancy, unless it is required to be retained for longer to comply with our legal or reporting requirements.

If you have been interviewed by TSS but not yet offered work, your data will be retained for a period of 24 months.

Data you have not submitted as part of your application e.g. interview notes, may be retained for up to 12 months.

## 10. Your Rights

Under certain circumstances, by law you have the right to:

- **Request access** to your data (commonly known as a "subject access request"). This enables you to receive a copy of your data and to check that we are lawfully processing it.
- **Request correction** of your data. This enables you to ask us to correct any incomplete or inaccurate information we hold about you.
- **Request erasure** of your data. This enables you to ask us to delete or remove your data under certain circumstances, for example, if you consider that there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your data where you have exercised your right to object to processing (see below).
- **Object to processing** of your data where we are relying on our legitimate interests (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 data for any direct marketing purposes.

- **Request the restriction of processing** of your data. This enables you to ask us to suspend the processing of your data, for example, if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your data to another party.

Depending on the circumstances and the nature of your request it may not be possible for us to do what you have asked, for example, where there is a statutory or contractual requirement for us to process your data and it would not be possible to fulfil our legal obligations as your employer if we were to stop. Where you have consented to the processing (for example where you have allowed us to communicate with your GP regarding your medical records) you can withdraw your consent at any time, by emailing the relevant department. If you choose to withdraw consent it will not invalidate past processing. Further information on your rights is available from the [Information Commissioner's Office \(ICO\)](#).

If you want to exercise any of the rights described above or are dissatisfied with the way we have used your information, you should in the first instance contact the Colleges HR Manager via [college.administrator@kellogg.ox.ac.uk](mailto:college.administrator@kellogg.ox.ac.uk), alternatively, you can contact the University's Information Compliance Team at [data.protection@admin.ox.ac.uk](mailto:data.protection@admin.ox.ac.uk). The same email address may be used to contact the University's Data Protection Officer. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of the GDPR. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

If you remain dissatisfied, you have the right to lodge a complaint with the ICO at <https://ico.org.uk/concerns/>

## 11. Keeping Your Data Up-To-Date

It is important that the data we hold about you is accurate and current. Please keep us informed of any changes after you submit your application.

## 12. Changes to this Privacy Policy

We reserve the right to update this privacy policy at any time, and will seek to inform you of any substantial changes. We may also notify you in other ways from time to time about the processing of your personal data.