



BCS, The Chartered Institute for IT
Applicant Privacy Policy
February 2020

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1 About this document

As an applicant for a contract of employment or a contract for services with BCS, The Chartered Institute for IT or BCS, Learning & Development Ltd (together the “BCS Group”), we will need to obtain and process certain information about you.

In accordance with our obligations under the Data Protection Act 2018 (the “Act”) this document acts as the ‘applicant privacy policy notice’ for the BCS Group and outlines what personal data we will collect about you, what lawful basis/bases we have for processing that personal data as well as what will happen to the personal data following the completion of the application process, whether successful or unsuccessful.

This notice will not form part of any employee's contract of employment, or any contractor's contract for services, and we may amend it at any time.

2 Data protection principles

2.1 Principles

When collecting and processing your personal data we will comply with the data protection principles as outlined in the Act, which say that personal data must be:

- a) Processed fairly, lawfully and in a transparent manner;
- b) Processed for the specific purposes for which it was collected;
- c) Adequate, relevant and not excessive for the purpose for which it was collected;
- d) Accurate and up to date;
- e) Not kept longer than necessary for the purpose for which it was collected;
- f) Processed in a secure manner.

2.2 Personal data & processing

Personal data means any information relating to an identified or identifiable natural person. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you. Processing means doing anything with the data, such as accessing, disclosing, destroying or using the data in any way.

2.3 Data Controller

BCS, The Chartered Institute for IT is the a “data controller” with regards to your information. This means that we are responsible for deciding how we hold and use personal data about you.

2 Fair and lawful processing

To process your personal data, we must have a “lawful basis” for doing so. As an applicant to the BCS Group we will collect personal data relating to you to enable us to evaluate whether or not to proceed with your application and offer you a contract of employment or a contract for services (as applicable) with the BCS Group. The lawful basis on which we will be relying to process your personal data is “legitimate interest”.

It is in the legitimate interests of the BCS Group to obtain limited personal data about you to enable us to assess your application. Given the limited nature of the personal data we will collect and process we see there being no negative impact on your rights in obtaining and processing that data.

As part of the application process, depending on the role for which you have applied/ service you intend to provide (as applicable) we may need to undertake certain searches relating to you, including but not limited to checks of your criminal records via the Data Barring Service (DBS). These searches may provide us with what is known as 'sensitive personal data', being personal data that relates to your ethnic origin, political opinions, religious or similar beliefs, trade union membership, health, sex life, criminal proceedings or convictions. Where we need to undertake these searches, we will let you know in advance what searches will be undertaken and the reason for them.

The lawful basis for this processing will be 'legal obligation'. If we are undertaking these searches it is because the job you are applying for/service you intend to provide (as applicable) requires us to undertake them. You can object to us undertaking these searches, however, if you do object then it is likely that we will be unable to proceed with your application.

3 How we are likely to use your personal data

As outlined above, we will use your personal data to allow us to assess your suitability for the role for which you have applied/service you intend to provide (as applicable).

Should you be successful in your application then the personal data collected will then form part of your employment/contract (as applicable) records and will be retained in accordance with your contract of employment/contract for services (as applicable) and in accordance with the BCS Employee Privacy Policy, a copy of which is available upon request.

4 Data Retention

We will not keep your personal data for longer than is necessary for the purposes outlined above. All personal data is retained in accordance with our Employee Data Retention Policy, a copy of which is available on request.

5 Processing in line with your rights

By law you have the right to:

- **Request access** to and be provided with a copy of the personal data held about you together with certain information about the processing of such personal data to check that BCS is processing it lawfully and fairly. This is commonly known as a "subject access request".
- **Request correction** of any inaccurate or incomplete personal data held about you.
- **Request erasure** of any personal data held about you where there is no good reason for BCS to continue processing it or where you have exercised your right to object to the processing of your personal data.
- **Request restriction** of how BCS processed your personal data; for example, to confirm its accuracy or BCS' reasons for holding it or as an alternative to its erasure.

- **Object to processing** of your personal data which is based on the legitimate interests of BCS or those of a third party based on your particular circumstances.
- **Request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact the Head of HR in writing.

5.1 No fee

You will not have to pay a fee to access your personal data (or 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.

5.2 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 data (or to exercise your any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who had no right to receive it.

6 Providing information to third parties

We will only provide your personal data to third parties where we are undertaking background searches against you. We will notify you of the identity of these third parties prior to undertaking the searches.

7 Data Security

We have put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in any unauthorised way or altered or disclosed. In addition, we limit the access to your personal data to the persons and organisations, including those described above, who have a lawful and legitimate need to access it. Further information on these measures are available on request.

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

9 Transfers outside of the EU

We may have reason to transfer your personal data outside of the EU where certain third-party suppliers on which we rely are based outside of the EU or members of our group are outside of the EU and we are required to provide them with information relating to job applicants and employees. We only transfer data outside of the EEA where we have in place suitable contractual provisions to ensure that, where such providers are located outside the EU, there are adequate safeguards in place whether through binding corporate rules, model contract or privacy shields. We also ensure that the data is being stored and processed in

accordance with our instructions, used only for the purpose for which it was obtained and retained in accordance with our Employee Data Retention Policy. We will notify you of the identities of such third parties in the event we need to transfer your personal data outside of the EU.

10 Contact

If you would like to contact us about the use of your personal data, or exercising your personal rights, please email gdpr@bcs.uk.

For further information on making a subject access request to BCS, please visit our website www.bcs.org.

11 Complaints

If you believe that your data protection rights have been breached and we have been unable to resolve your concern, you have the right to report your concern to the Information Commissioner's Office at <https://ico.org.uk/concerns>.

12 Policy Review

This policy will be reviewed not less than once every two years and any new version will be made available to employees.