

Jacaranda Recruitment Ltd – Privacy Notice

Update following requirements of the General Data Protection Regulations (GDPR)

Last updated 5 February 2018

The data controller at Jacaranda: Abby Ladbrooke.

The lawful bases for data processing of employer, candidate and learner data are: legitimate interests, which are predominantly commercial, and of wider societal interests in our awareness-raising of social pedagogy and consent for the processing of special category data, as outlined in the GDPR.

We process the following categories of personal data:

- names, contact details, employment and education history, statements of support and sometimes personal circumstances of candidates
- our assessments of candidates' suitability for social work, social care and social pedagogy job roles
- names and contact details of employers
- names, contact details, employment and education history, statements of support and sometimes personal circumstances of learners
- assignments and our assessments of Level 3 and Level 5 qualifications in social pedagogy
- names, contact details, employment and education history, statements of support and our assessments of suitability of internal applicants
- from time to time, we process special category data (e.g. health, sensitive information)
- from time to time, we process criminal offence data, on behalf of employing agencies (DBS checks and home-country police checks) and when local authority contracts require, we process DBS checks for our training associates (see note below in Retention table)
- personnel and payroll records for staff, contact details, employment history, CPD records and financial data relating to associates

We process personal data for the following purposes:

- placing candidates with employers and all related activity, such as pre-screening, arranging interviews, conducting and/or arranging reference and background checks, negotiating/confirming salary and job offers
- raising awareness of our services
- for the purpose of providing referees for our service
- raising awareness of social pedagogy development more broadly
- raising awareness of the Social Pedagogy Professional Association and its events and offers
- assessing and internally and externally quality assuring the assessments of our learners
- approving extensions for the submission of assignments in extenuating circumstances (can include special category data) (based on consent)
- facilitating networking amongst people who share interests or circumstances (e.g. candidates attending the same group interview, employers who wish to share good practice, learners who wish to share experiences of our qualifications) (based on consent)
- the assessment of suitability of internal applicants
- the management, training, support and payment of staff and associates

We share:

- candidate data with potential employers
- employer details with prospective employees
- learner data with our awarding organisation and external quality assurer, and for the Scaling Up Social Pedagogy project (until 2019) with UCL
- candidate data with other candidates (consent)
- employer data with other employers (consent)

Transfers to third countries and safeguards

- We back up our data in a secure facility in Switzerland, which meets the requirements of the GDPR in having the same data protection safeguards as the UK
- We transfer data to our Assessment Centre, Head of Centre, who is resident in Spain, an EU country, which meets the same data protections safeguards as the UK

Retention periods

Category of data	Retention period	Criteria used to determine the retention period
<p>Overarching guidance: Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.</p>		
Candidate details	Until a candidate asks us to be deregistered	Candidates receive job details, often for years, until they wish to be removed from mailing lists. These requests are enacted as soon as practicable.
Employer details	Until the request not to receive updates	Employers return to our service, often with long gaps in between. Requests to be removed from our mailing lists are enacted as soon as practicable.
Learner application forms	For the duration of the qualification, usually 9 months	Beyond the qualification, information supplied on the application form is no longer required.
Learner assignments, reasonable adjustment and special consideration agreements	Until learners have been issued with their qualification certificates	In order to be able to respond to any appeals
Assessment reports, IQA reports and standardisation records	3 years	Required by our awarding organisation
Internal applicant records	As close to 4 weeks following closure of application process as practicable, unless: a) applicant is appointed or b) express consent is sought for possible future recruitment consideration	As an SME, we do not have capacity to retain hard-copy records for extended periods.
Employee and associate records	7 years from end of employment	Records held in order to be able to meaningfully respond to employment reference requests.

Category of data	Retention period	Criteria used to determine the retention period
Special category data	The shortest possible time; context-dependent and usually no more than 3 weeks, with the exception of special category data relating to our qualification learners (see above)	Retention period is as short as practicable in relation to the purpose the data has been collected, due to its sensitive nature.
Criminal offence data	The shortest possible time; context-dependent and usually no more than 3 weeks.	Retention period is as short as practicable in relation to the purpose the data has been collected, due to its sensitive nature. Please note: Jacaranda is from time to time asked to process DBS checks, which are in the vast majority of cases, clear (i.e. no conviction). At the time of writing this statement, the Data Protection Bill is still going through Parliament and the ICO are unable to clarify if a DBS check is considered to fall under the category of “criminal offence data”.

Your rights

You have the right to:

- ask if we are processing your data and to have access to it
- request that we stop processing your data
- comment about how we process your data with the Information Commissioners Office (<https://ico.org.uk/>)
- request how we obtained your data
- ask us whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
- ask us if we use automated decision making, including profiling and information about how decisions are made, the significance and the consequences

Please note: the right to erasure does not provide an absolute ‘right to be forgotten’. Individuals have a right to have personal data erased and to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which we originally collected/processed it
- When you withdraw consent for us to process your data
- When you object to the processing and there is no overriding legitimate interest for continuing the processing
- If we have unlawfully processed your data
- If your data has to be erased in order to comply with a legal obligation
- If your data is processed in relation to the offer of information society services to a child.

There are some specific circumstances where the right to erasure does not apply and we can refuse to deal with a request, as follows:

- to exercise the right of freedom of expression and information
- to comply with a legal obligation for the performance of a public interest task or exercise of official authority
- for public health purposes in the public interest
- archiving purposes in the public interest, scientific research, historical research or statistical purposes; or
- the exercise or defence of legal claims