



# ABA Autism Education Limited Job Applicant Privacy Notice

Last updated: 12<sup>th</sup> August 2024

## Introduction

ABA Autism Education Limited (“ABAEL”, “we”, “us”, “our”) are a company registered in England and Wales, registration number 08233627, with our registered office at 148 Mitcham Road, London, England, SW17 9NH. We are the Controller of the Personal Data we process, registered in the UK with the Information Commissioner’s Office (“ICO”), registration number ZA481891.

We are committed to protecting your privacy and meeting our legal obligations when you apply for a job or you (or an agent acting on your behalf) share your employment details with us.

This privacy notice explains what Personal Data we collect and use relating to employment and the associated candidates (“you”, “your”) during the recruitment process.

We place great importance on ensuring the quality, confidentiality, integrity, and availability of the data we hold, and in meeting our data protection obligations. We are committed to protecting the security of your Personal Data. We use a variety of technical and organisational measures to help protect your Personal Data from unauthorised access, use or disclosure.

We update this privacy notice from time to time in response to changes in applicable laws and regulations, to our processing practices and to products and services we offer. When changes are made, we will update the date at the top of this document.

## What Personal Data do we process?

Personal Data means any information about an individual from which that person can be identified, therefore does not include data where the identity of the person has been removed (anonymous data). There are also special categories of more sensitive Personal Data which require a higher level of protection.

When you apply for a position, whether as an employee, worker, consultant, contractor or intern, or submit your CV (or similar employment information), whether directly or through an agency, or attend an interview in person or by remote means, we will collect your Personal Data.

This includes (but is not limited to):

- Name and contact details (address, mobile phone number and email address);
- Company details (where applicable);
- Date of birth and gender;
- Curriculum Vitae or Resume;
- Work history and employment positions held;
- Salary, other compensation, and benefits information;



- Nationality / visa / work permit information (where applicable);
- Academic and professional qualifications, education, and skills;
- Photographs you may submit with your application;
- Demographic information;
- Records we create during interviews or correspondence with you;
- Results of pre-employment screening checks such as references or DBS checks (where applicable); and
- Any other information you choose to give us.

We may also collect special category data in accordance with the Equality Act 2010 and other equality laws. As an example, we will only do this to make reasonable adjustments to enable all candidates to apply for vacancies, attend interviews and to commence employment. This is also necessary to ensure we meet our legal obligations when recruiting.

## Purposes and bases for using your Personal Data

We will process your personal information for the following purposes and under the following lawful bases:

Purpose	Lawful Bases for Processing
Responding to correspondence from you.	It is in our legitimate interest to respond to you when you make an employment or general enquiry.
Processing your application to assess suitability for employment.	<p>Processing is necessary for taking steps to enter into a contract with you or for the performance of our contract with you.</p> <p>For special category data, the additional basis that we rely on relates to our obligations in the field of employment and the safeguarding of your fundamental rights.</p>
Assessing suitability for employment.	It is our legal obligation under the Equality Act 2010 to protect all applicants from discrimination in the workplace at all stages of pre-employment and employment.



Purpose	Lawful Bases for Processing
	<p>For special category data, the additional basis that we rely on relates to our obligations in the field of employment and the safeguarding of your fundamental rights.</p>
<p>Arranging and conducting recruitment interviews, either in person, via telephone or other means.</p>	<p>Processing is necessary for taking steps to enter into a contract with you or for the performance of our contract with you.</p> <p>For special category data, the additional basis that we rely on relates to our obligations in the field of employment and the safeguarding of your fundamental rights.</p>
<p>Obtaining necessary references from third parties and conducting pre-employment screening checks, where required.</p>	<p>We rely on your consent to process your Personal Data in order to facilitate our recruitment process. This consent may be withdrawn at any time by emailing <a href="mailto:privacy@abael.co.uk">privacy@abael.co.uk</a>.</p> <p>When processing your special category data, we do so with your explicit consent.</p>
<p>Contacting unsuccessful applicants about future suitable vacancies.</p>	<p>It is our legitimate interest to archive applications, maintain the details of, and stay in contact with, suitable candidates for future roles.</p>
<p>Sharing Personal Data with third parties including government agencies, law enforcement agencies and others for the purposes of job recruitment or pre-employment checks or when required by law.</p>	<p>It is our legal obligation to cooperate fully as and when required by law.</p>

### Sensitive Personal Data

We will only process sensitive special category Personal Data where we meet one of the conditions required by law for doing so. This includes complying with legal obligations or exercising specific rights in the field of



employment law. We may also ask for your explicit consent to process some special categories of Personal Data, but this is rare.

We process special categories of Personal Data when we collect or process information about your physical or mental health, or disability status and to assess your fitness to work.

## Sharing of your information

We may share your Personal Data with service providers and suppliers to our business who process data on our behalf. In such cases, our service providers and suppliers are Processors and may only use the data in line with our instructions and not for any other purpose. This and other obligations are agreed in the written contract between ABAEL and the service providers and suppliers.

Your Personal Data will not be processed outside the UK. However, should a business need dictate and we process your Personal Data outside the UK, we will take appropriate steps to ensure the Personal Data has an essentially equivalent level of protection to that guaranteed in the UK. We do this by ensuring that:

- your Personal Data is only processed in a country which the Secretary of State has confirmed has an adequate level of protection (an adequacy regulation); or
- we enter into an International Data Transfer Agreement (“IDTA”) with the receiving organisation and adopt supplementary measures, where necessary. (A copy of the IDTA can be found here [international-data-transfer-agreement.pdf \(ico.org.uk\)](#)).

Within ABAEL, your Personal Data will only be shared with those who need to have access to it, which will primarily be our HR department, hiring managers and IT staff.

## How long will we retain your information?

We will retain your Personal Data for only as long as is necessary for the recruitment process. If your candidacy is successful and you are employed or hired by us, your data will be processed and retained as set out in our employee privacy notice, provided to you with your employment paperwork.

If your candidacy is not successful, we will retain your CV, application details and interview notes for 12 months from the date we notified you we would not move forward with your application, to inform you about any future vacancies we have that may be of interest to you. Please let us know if you would like us to delete your records before our retention period lapses and we will do so.

We will also retain Personal Data where it is necessary to comply with our legal obligations or as necessary in relation to legal claims. This is rare but may mean we need to retain your data for longer than 12 months.

## Your rights

Individuals whose Personal Data we process have the following rights:

- you have the right of access to your Personal Data and can request copies of it and information about our processing of it;



- if the Personal Data we hold about you is incorrect or incomplete, you can ask us to rectify or add to it;
- where we are using your Personal Data with your consent, you can withdraw your consent at any time;
- where we are using your personal because it is in our legitimate interests to do so, you can object to us using it this way;
- in some circumstances, you can restrict our processing of your data, request a machine-readable copy of your Personal Data to transfer to another service provider and compel us to erase your Personal Data; and
- automated decision-making. You have the right not to be subject to a decision based solely on automated processing which will significantly affect you.

If you wish to exercise any of your rights, please write to the Data Protection Manager at [privacy@abael.co.uk](mailto:privacy@abael.co.uk).

You will not have to pay a fee to access your Personal Data (or to 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.

In addition to the above, you have the right to make a complaint at any time to the ICO if you are concerned about the way in which we are handling your Personal Data.

The ICO can be contacted online [here](#) or by telephone on 0303 123 1113

## Contact

You can contact us in relation to data protection and this privacy notice by emailing the Data Protection Manager at [privacy@abael.co.uk](mailto:privacy@abael.co.uk).