

Ambitious about Autism
Candidate and Employee Privacy Notice
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We are Ambitious about Autism and together with Ambitious about Autism Schools Trust, we stand with autistic children and young people, champion their rights and create opportunities.

Ambitious about Autism (Limited) is a charity registered in England with registration number 1063184 and a registered charitable company limited by guarantee in England and Wales with registration number 03375255. Our limited company is responsible for the data we hold, and we are registered with the UK Information Commissioner's Office under registration number Z5753824.

Ambitious about Autism Schools Trust is a company limited by guarantee and an exempt charity registered in England and Wales under registration number 08335297.

This privacy notice explains how Ambitious about Autism (referred to as "**AaA**", "**we**", "**our**", "**us**" throughout this notice) acts as Data Controller under the UK General Data Protection Regulation (the UK GDPR) regarding our collection, processing, and sharing of personal data of candidates, employees, trustees, contractors, volunteers, and temporary workers ("**you**", "**your**").

1. Candidates

For the purpose of this Privacy Notice, 'candidate' is defined as any prospective employee, trustee, contractor, volunteer, or temporary/agency worker, further defined by you:

- formally or informally expressing interest in a role
- submitting a formal application
- being invited to and/or attending a formal interview and/or test
- indirectly applying for a role through a third party

This Privacy Notice also concerns where your personal data is retained after an unsuccessful application (see sections '**How we use your information**' and '**How long your information is kept**' for more details) and is still defined as 'candidate' data for the purposes of this document.

How we collect your information

We may collect your personal data in a number of ways, for example:

- When you submit a formal application to work for us and provide your personal data in curriculum vitae (CV), application forms, and covering letters.
- From the information you provide to us when you interact with us before making an application to work for us, including when you apply for or attend a work experience placement with AaA.
- From third parties, for example from recruitment agencies, from your previous or current employers (including referees) and institutions of study, or from background check providers, credit reference agencies, or the Disclosure and Barring Service, where relevant, in order to verify details about you and/or your application to work for us.

The types of information we collect

We will collect the following types of personal information about you:

- Personal and contact information, including name, title, address, telephone number, personal email address, date of birth, photograph, and National Insurance number.
- Application information, including any personal information included within your application form and CV such as employment history, salary history, performance information, training records, professional memberships, and disciplinary and grievance information
- Professional information, such as records of qualifications and study.
- Some roles may require additional assessments (task test, presentation, or trial day). Any test used will have been validated in relation to the job and the outcomes of any additional assessments will be stored and shared with those involved in the recruitment process.”
- Right to work evidence, including photographic and other proof of status for example, copy of your driving licence and passport, proof of address, resident status.
- Information relating to social network accounts, where publicly available, which may be discussed with an applicant at interview

We may also collect or request more sensitive personal information, known as ‘special category data’, where this is necessary for your job application:

- Information about your health, including any disability, medical condition, health and sickness records.
- Information about criminal convictions and offences.
- Information about your racial or ethnic origin, religious, philosophical or moral beliefs, sexual orientation, gender identity, and disabilities. While this information may be directly requested, it is entirely your choice to volunteer it.

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history, proof of identity and right to work in the UK), we will not be able to process your application successfully.

How we use your information

The purposes for which we use personal data (including sensitive personal data, where applicable) that we collect in connection with your job application includes:

- to administer job applications, assess your skills, qualifications and suitability for the job or role you have applied for, communicate with you about the recruitment process and, where relevant, offer you a job with us. We are required to do this by law and to allow us to enter a contract of employment or equivalent with you. Some information you provide on your application may not be strictly necessary, but if you volunteer this information, we shall assume you have given your consent for us to process this information.
- We are required by law to check that you are legally entitled to work in the UK and to ascertain your fitness to work and provide reasonable adjustments where necessary.
- We conduct studies to review and better understand the types of job applications we receive, from whom, and what kind of education, skills, qualifications, and employment history the applicants typically have for each different job/role. We do this as we have a legal obligation to comply with equal opportunity legislation and to prevent discrimination. We rely on our legitimate interests for other types of research and process sensitive data for research purposes with your permission.

- We will use information about disability status to consider whether we need to provide appropriate adjustments during the recruitment process. This is a legal obligation.
- We are required by law to carry out criminal record checks to satisfy ourselves that there is nothing in your criminal convictions history that makes you unsuitable to work with children and vulnerable adults, or in any regulated setting, at AaA.
- We perform certain background checks and process some information to meet our legal compliance and regulatory obligations, such as compliance with anti-money laundering laws, health, and safety obligations, tax reporting requirements, and help to identify any incidents or issues that have happened and are publicly available online.
- We process some information to prevent or detect fraud or crime, including assisting with investigations (some of which may be criminal investigations) carried out by the police and other competent authorities.
- Records of training undertaken will ensure AaA is compliant with industry regulation, relevant law, and best practice where training is essential or necessary for your role or organisational obligations. The Ambitious Learning platform (Learning Management System or LMS) also manages employee training schedules to ensure regular or refresher courses are delivered within the necessary timescales.

All candidate data is processed within the UK, and we perform appropriate due diligence on all third parties to ensure that they will keep your information safe before sharing takes place. Unless we are required to share your personal data by law, we shall ensure an appropriate data sharing or data processing agreement is in place before sharing takes place.

We ensure all appropriate physical and technical security measures are in place to keep your electronic and manual records safe and apply proportionate cyber-security measures to control access to your information.

AaA staff are trained in how to manage personal data safely and issue guidance on how to appropriately manage applications for employment and placements.

The basis for processing your information

The lawful basis for processing your personal data for the above purposes are as follows:

- It is necessary to enable us to decide whether to enter into or perform a contract of employment (or equivalent) with you.
- To meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws, health and safety obligations, safeguarding, and tax reporting requirements.
- For the prevention and detection of crime, including in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.
- We will use information about disability status to consider whether we need to provide appropriate adjustments during the recruitment process. This is a legal obligation.
- It is necessary for our, or a third party's, legitimate interests, but only where your fundamental rights do not override those interests. Our "legitimate interests" include our commercial interests in operating AaA in a professional, sustainable manner, providing the highest quality services to our pupils, students and parents in accordance with all legal and regulatory requirements (which includes appointing the highest quality candidates to the jobs or roles that we identify as being necessary to

achieve those interests), and to review and better understand employee retention and attrition rates.

- For unsuccessful candidates, we may request your permission to retain your CV in our 'talent bank' for longer periods, so that we can keep you in mind as a candidate for other job offers and opportunities to work for AaA.

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Sharing your information with others

In order to manage your application for employment or placement, we may need to share your personal data with certain third parties:

- Government bodies such as HM Revenue and Customs, law enforcement agencies, the Financial Conduct Authority (FCA), Prudential Regulation Authority (PRA), and other parties where we are subject to a court order.
- We share with Capita Resourcing Limited, UK registered company number 03949686, for the purposes of performing DBS (criminal record) checks for roles with Ambitious about Autism, and Disclosure Services, UK registered company number 04780789, for the purposes of performing DBS checks for roles with Ambitious About Autism Schools Trust.
- Third party processors where we have engaged them to process data on our behalf, for example email broadcast or web hosting companies.

How long your information is kept

For unsuccessful candidates, unless we obtain your permission to retain your CV in our 'talent bank' so that we can keep you in mind for a longer period as a candidate for other job offers and opportunities to work for AaA, we shall delete your CV and application 12 months after a decision has been made regarding the position. For candidates who have not fully completed their application, this information is held for 90 days.

2. Employees, trustees, contractors, volunteers, and temporary workers

For the purpose of this Privacy Notice, 'employee', 'trustee', 'contractor', 'volunteer', or 'temporary/agency worker', is defined by you entering into a formal contract with AaA.

How we collect your information

We may collect your personal data in a number of ways, for example:

- from the information you provide to us when you interact with us before, during, or after making an application to us, including from third parties
- During your employment or other engagement with us, as a member of staff, for example when you provide your contact details to AaA's HR staff, when you or another member of staff completes paperwork regarding your performance appraisals, and in the course of fulfilling your employment, trustee or duties (as applicable) more generally

- in various other ways as you interact with us during your time as a member of staff, trustee or otherwise and afterwards, where relevant, for the various purposes set out below.

The types of information we collect

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- Biographical and contact information, including name, address, telephone number, personal email address, date of birth, photograph, National Insurance number, and details of 'next of kin'
- Work related information such as employment history and employer references, where your name is captured as part of work-related activities and projects, professional activities, membership of professional associations, and information about your employment and professional life after leaving AaA
- Educational and social information, such as qualifications and references, social circumstances, lifestyle information, and your interests or extra-curricular activities
- Financial information such as bank details, tax status, and residential status
- Information relating to performance at work, including regular check-ins, setting and monitoring of objectives, personal feedback, and personal development plans.
- Records of courses and training undertaken while in employment as staff, Trustee, or Governor, with AaA. Trustees and Governors will be asked for their personal email address to complete training through the LMS, and staff will use their work email address.
- Records of objectives, check-ins, and feedback from line managers and other staff where appropriate, including records of your performance and personal development plans
- Information relating to your driving status, including driving licence information, driving convictions and endorsements where they relate to driving fleet or personal vehicles for work purposes.

We may also collect or request more sensitive personal information, known as 'special category data', such as:

- information about your racial or ethnic origin
- information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment)
- information concerning your genetic or biometric data
- information revealing your trade union membership
- information concerning sex life or sexual orientation (for example, for investigating complaints made by you or others, for example concerning discrimination); and
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with employment law)

How we use your information

The purposes for which we may use personal data (including, sensitive personal data, where applicable) we collect in connection with your employment or other engagement with us as a member of staff, volunteers, contractor, temporary/agency staff, or trustee include:

- for the performance of the contract of employment (or equivalent agreement) between you and AaA

- providing you with the information and invitations necessary for you to carry out your duties and to monitor performance in fulfilling these duties
- for the purpose of reporting and analytics, specifically routine workforce analytics and to measure organisational performance against KPIs, e.g. sickness absence, staff turnover rates
- to comply with statutory reporting obligations such as pay gap and further education workforce reporting.
- to pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us and to reimburse appropriate expenses
- for tax purposes, including transferring it to HM Revenue and Customs to ensure that you have paid appropriate amounts of tax, and in respect of any Gift Aid claims, where relevant
- contacting you or your family members and 'next of kin' for business continuity purposes, to confirm your absence from work
- for security purposes, for example through CCTV cameras in our settings
- promoting AaA's work, including by publishing the work product(s) you create while employed by or otherwise engaged to work for AaA, and by publishing your image and likeness in connection with your employment or engagement with us. You can opt-out of your image being used on promotional materials at any time.
- for planning events and engagements, making travel arrangements, external and internal audit purposes, and internal record keeping
- for disciplinary purposes

We may process special category or 'sensitive' personal data for the purposes of:

- monitoring physical or mental health or condition(s) in order to monitor and record leave and take decisions as to the individual's fitness for work
- recording a member of staff's racial or ethnic origin in order to monitor AaA's compliance with Equity, Diversity, and Inclusion (EDI) reporting and analysis.

The basis for processing your information

We may process your personal data for the above purposes for the following reasons:

- it is necessary for the performance of a contract with you
- it is necessary for AaA or a third party's legitimate interest. AaA's legitimate interests include our commercial and charitable objectives in operating in a professional, sustainable manner, in accordance with all relevant legal requirements
- it is necessary to protect your or another person's vital interests (in certain limited circumstances, for example where you have a life-threatening accident or illness in the workplace and to ensure you receive appropriate medical attention)
- it is necessary for the establishment, exercise, or defence of legal claims (for example, to protect and defend our rights or property, and/or the rights or property of our clients)
- For recording safeguarding, health and social care assessments, and educational information relating to both you and other data subjects, specifically our pupils and residents. Information will be stored on dedicated databases and platforms, for example our safeguarding system BehaviourWatch.
- we have your specific or, where necessary, explicit consent to do so (in certain limited circumstances, for example where you provide details of your racial or ethnic origin so that we can monitor AaA's compliance with equal opportunities legislation).

We may also process your personal data for our compliance with our legal obligations. In this respect, we may use your personal data for the following:

- to exercise or perform any right or obligation conferred or imposed by law in connection with employment
- for the prevention and detection of crime, and to assist with investigations carried out by the police and other competent authorities.

Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Sharing your information with others

We may share your details with any of the following:

- Ambitious Learning, Learning Management System (LMS), operated by Civica, is registered with the Information Commissioner's Office with registration number Z5268164.
- Professional advisors such as legal counsel, specialist employment and health and safety advisors, accountants etc
- Wellmont Occupational Health Limited, registered in England & Wales Company Number: 11551768, for the purposes of providing your information for medical screening. You will be asked to consent to your data being shared prior to processing.
- Global Health Solutions / Apollo – Occupational Health, for the purposes of providing your information for medical screening for St John's College, company number 15254799
- The Select HR and PeopleXD human resources information systems, operated by Access Group, for the purposes of recording and processing staff, volunteer, casual and agency worker data, is registered with the Information Commissioner's Office with registration number Z5042164
- Clear Review, operated by Clear Review Limited, for the purposes of monitoring and recording staff performance reviews, objectives and feedback, is registered with the Information Commissioner's Office with registration number ZA202696
- eArcu, operated by eArcu LTD, for the purposes of recording candidate information relating to advertised roles, is registered with the Information Commissioner's Office with registration number Z2403826
- Aegon UK plc, company number 03679296, for the purpose of providing pension services.
- People's Pension, for the purpose of providing pension services
- Dataplan Payroll Limited, company number: 06475128, for the purpose of providing payroll services and is registered with the Information Commissioner's Office with registration number Z1267672
- Firefly Payroll Ltd, company number: 05989468, for the purpose of providing payroll services and is registered with the Information Commissioner's Office with registration number Z1828614
- MyHR/CIPHR, human resources system for St John's College, company number 04616229
- TeamTailor Ltd, for the purposes of recruitment and hiring staff, company number 11771508
- APCS, for the purpose of DBS checking, company number 07399692
- Hastee Ltd, for payroll services, company number 14155527, and registered with the ICO under registration number ZB340716
- Nest, workplace pension providers, company number 07120086
- Maybo Ltd, for staff training, company number 03156358

- Other third parties for which it is necessary to share your personal data for the purposes of delivering and receiving training, authorised database access or administration, employment benefits, payroll and pension services, or peer organisations with whom we hold a professional relationship. These will be communicated to you prior to sharing and will be done where it is necessary or relevant to your role.
- Other employees within our wider group of organisations, such as our centralised human resource ('People') department, agents, and contractors but only where there is a legitimate reason for them to receive the information.
- We may share some of your personal data if it appears alongside, or as part of, other identifiable information that is requested by a data subject under their Right to Access, otherwise known as a Data Subject Access Request (DSAR). This will be limited to where your name appears in documents, communications including emails and Microsoft Teams messages, and as part of any official process. Your data will not be shared if doing so compromises your rights and freedoms, or if there is a legal exclusion we can apply.

How long your information is kept

We shall retain your records for the duration of our relationship plus the timescale laid out in our organisation's Retention Schedule, a copy of which can be obtained from the Data Protection Officer. For the purposes of safeguarding and child protection records, we may retain your personal data for 75 years after your contract of employment ends.

3. Data Security

All candidate and employee personal data is processed within the UK, and we perform appropriate due diligence on all third parties to ensure that they will keep your information safe before sharing takes place. Unless we are required to share your personal data by law, we shall ensure an appropriate data sharing or data processing agreement is in place before sharing takes place.

We shall ensure that appropriate physical and technical security measures are in place to keep your electronic and manual records safe and apply proportionate cyber-security measures to control access to your information.

We train all AaA staff in how to manage personal data safely and issue guidance on how to safely manage applications for employment and placement.

4. Your rights

Under the UK GDPR you have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you; known as Right of Access and should be submitted as a Data Subject Access Request
- to require us to correct the personal data we hold about you
- to require us to erase your personal data, under specific circumstances
- to require us to restrict or cease our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal), under specific circumstances and/or where you feel this has a disproportionate impact on your rights
- to require us not to send you marketing communications

Please note we may be entitled to refuse requests where exceptions apply, and any reasons for refusal will be communicated with you.

Please ensure you update the personal data that AaA holds if there are any relevant changes.

If you have given your consent for a type of processing and you wish to withdraw it, please contact the Data Protection team via email dataprotection@ambitiousaboutautism.org.uk

Contact and complaints

If you have any queries about this privacy notice or how we process your personal data, or if you wish to exercise any of your rights listed above, please contact the Data Protection team by email at dataprotection@ambitiousaboutautism.org.uk or by post:

Data Protection Officer
Pears National Centre for Autism Education
Woodside Avenue
London
N10 3JA

You also have the right to make a complain to the UK's supervisory authority, The Information Commissioner (ICO). You can find out more about your data protection rights on the ICO's website: www.ico.org.uk