

BIRMINGHAM MUSEUMS TRUST

Work Experience Privacy Notice

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KEY SUMMARY

Birmingham Museums Trust offers a selection of work experience placements throughout the year. Our work experience programme is open to anyone 15 years or over who is not currently in employment. Each placement is one or two weeks long and is a great chance to gain some experience of the sector, develop your skills and knowledge, as well as getting a general awareness of the working world.

If you apply to complete work experience with us, we will process your personal information provided in the course of your application in order to carry out recruitment for the work experience programme and to support you whilst you undertake work experience with us.

This notice explains what data we process, why, how it is legal and your rights.

ABOUT US AND THIS NOTICE

This Privacy Notice is provided by Birmingham Museums Trust (" or "we" or "us") who is a 'controller' for the purposes of the General Data Protection Regulation (EU) 2016/679.

You should read this Privacy Notice if you are, or have applied to, undertake work experience with us.

We take your privacy very seriously. We ask that you read this Privacy Notice carefully as it contains important information about our **processing** and your rights.

How to contact us

If you need to contact us about this Privacy Notice, use the details below

- Rachel Cockett, Director of Development
- Address: Birmingham Museums Trust, Birmingham Museum & Art Gallery, Chamberlain Square, Birmingham 3 3DH
- Telephone number: 0121 348 8000
- Email: development@birminghammuseums.org.uk

If you would like this Privacy Notice in another format (for example: audio, large print, braille), please contact us.

Changes to this Privacy Notice

This version was last updated on 3 August 2018. We may change this Privacy Notice from time to time.

The latest version will be available at <http://www.birminghammuseums.org.uk/privacy-policy/workexperience>

USEFUL WORDS AND PHRASES

Please familiarise yourself with the following words and phrases (used in **bold**) as they have particular meanings in the **Data Protection Laws** and are used throughout this Privacy Notice:

Term	Definition
controller	This means any person who determines the purposes for which, and the manner in which, any personal data is processed .
criminal offence data	This means any information relating to criminal convictions and offences committed or allegedly committed.
Data Protection Laws	This means the laws which govern the handling of personal data . This includes the General Data Protection Regulation (EU) 2016/679 and any other national laws implementing that Regulation or related to data protection.
data subject	The person to whom the personal data relates.
ICO	This means the UK Information Commissioner's Office which is responsible for implementing, overseeing and enforcing the Data Protection Laws .
personal data	<p>This means any information from which a <u>living individual</u> can be identified.</p> <p>This will include information such as telephone numbers, names, addresses, e-mail addresses, photographs and voice recordings. It will also include expressions of opinion and indications of intentions about data subjects (and their own expressions of opinion/intentions).</p> <p>It will also cover information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future.</p>
processing	<p>This covers virtually anything anyone can do with personal data, including:</p> <ul style="list-style-type: none"> • obtaining, recording, retrieving, consulting or holding it; • organising, adapting or altering it; • disclosing, disseminating or otherwise making it available; and • aligning, blocking, erasing or destroying it.

Term	Definition
processor	This means any person who processes the personal data on behalf of the controller.
special categories of data	<p>This means any information relating to:</p> <ul style="list-style-type: none"> • racial or ethnic origin; • political opinions; • religious beliefs or beliefs of a similar nature; • trade union membership; • physical or mental health or condition; • sexual life; or • genetic data or biometric data for the purpose of uniquely identifying you.

WHAT PERSONAL DATA DO WE COLLECT?

The sections below set out the categories of **personal data** we may ask for at each stage of your application to complete work experience with us and to support you whilst undertaking your placement. The reasons why we need each category of data are set out in the section 'Why do we need your personal data'.

If you choose not to provide us with any of these categories of information, your application may be rejected or it could affect our ability to process your application.

Pre-application

If you contact us with any questions prior to submitting an application for work experience placement with us, we will not keep a record of any of your details.

If you submit an application

If you submit an application for work experience with us, we will ask you for:

- Your contact details, including your name, address, e-mail address and telephone number.
- Details of your relevant education and any future plans.
- Details of any skills or interests that you would like to highlight to us.
- Permission from a parent or guardian (if you are under 18) allowing you to undertake an unpaid work experience placement with us.
- Information for the purposes of Equal Opportunities Monitoring, this section of our recruitment process is optional.

If we make and you accept an offer for a work experience placement with us

We will require further information from you in order to meet our obligations, such as your:

- Emergency contact details
- Confidential statement of health

WHY DO WE PROCESS YOUR PERSONAL DATA?

We use your **personal data** for the purposes listed in the table. We are allowed to do so on certain legal grounds which are also set out in the table (and which are explained further in the section '[Legal grounds for processing personal data](#)').

Personal data

Why do we process it?	Type of data	Legal grounds for processing
To contact you about your application for a work experience placement with us and to support you during your placement.	Contact details (name, email address, telephone number, home address)	Legitimate interests
To assess your suitability for a work experience placement with us, and assess what your training needs would be if you worked with us.	Education history and future plans information	Legitimate interests
To look after your welfare.	Third party emergency contact details (name, relationship, phone number) Confidential statement of health (medical conditions and prescribed treatment)	Legitimate interests
To ensure we have permission for you to undertake a work experience placement with us.	Permission from a parent or guardian (if you are under 18)	Legitimate interests

Special categories of personal data and criminal offences data

Why do we process it?	Type of data	Legal grounds for processing
In order to promote and monitor diversity in our recruitment process. Information gathered for these purposes will be used anonymously for the purposes of assessing diversity statistics across the organisation, and will not be used as a basis for making any decisions about you. If you choose not to provide this information (or later decide you would like us to delete information you have already provided for this purpose), this will have no bearing on your application with us.	Information provided in our Equal Opportunities Monitoring Form (such as information about your ethnic origin)	Necessary for reasons of substantial public interest.
To make reasonable adjustments to	Information about a disability which may	Necessary for

our application process for your disability.	affect the application process.	complying with our legal obligations.
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LEGAL GROUNDS FOR PROCESSING PERSONAL DATA

We have set out below a description about each of the legal grounds on which we **process** your **personal data**.

Reasons for processing your **personal data**:

Necessary for our legitimate interests: We process some **personal data** if doing so is in our legitimate interests as an employer. In order to do so, we have considered the impact on your interests and rights, and have put in place appropriate safeguards to ensure that the intrusion on your privacy is reduced as much as possible. You have the right to object to the **processing** of your **personal data** on this ground. See section headed 'Your Rights' to found out how.

Necessary for the compliance of a legal obligation: We have to process some of your **personal data** in order to comply with certain of our legal obligations.

Additional conditions for processing **special categories of data**, or **criminal offences data**:

Necessary for compliance with our obligations under employment law: We have to process some of **special categories of data** in order to comply with certain of our legal obligations.

Necessary in the substantial public interest: The law allows us to **process certain special categories of data** where there is a substantial public interest. You have the right to object to the **processing** of your **personal data** on this ground. See section headed 'Your Rights' to found out how.

Necessary for the purposes of occupational medicine, including the assessment of your working capacity while undertaking work experience: We will process information about your health in order to assess your medical capacity to perform the role you have applied for.

Necessary to establish, exercise or defend legal claims: we may need to **process special categories of data** in order to exercise our legal rights and bring or defend claims.

WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?

If you would like to know the names of our service providers who provide typical services required by all companies to support our business (e.g. website hosting, IT support, hard copy mailing providers), please contact us using the details at the start of this Privacy Notice.

We will share your **personal data** with the police, other law enforcements or regulators where we are required by law to do so.

Transfers of your personal data outside the EEA

We do not transfer your personal data outside the European Economic Area (EEA).

How we keep your personal data secure?

We strive to implement appropriate technical and organisational measures in order to protect your **personal data** against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of **processing**. We aim to ensure that the level of security and the measures adopted to protect your **personal data** are appropriate for the risks presented by the nature and use of your **personal data**. We follow recognised industry practices for protecting our IT environment and physical facilities and we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

HOW LONG WILL WE USE YOUR PERSONAL DATA FOR?

If your application for a work experience placement with us is unsuccessful or you do not accept our offer of the work experience opportunity, then we will delete all of the **personal data** gathered during the recruitment exercise three months after the relevant recruitment exercise has ended. If your application is successful we will retain your personal data for the period you undertake a work experience placement with us and we will retain your name for a further three years after your work experience placement is completed. This is so that we can:

- (a) Defend any claims arising from the recruitment process.
- (b) Offer feedback to successful or unsuccessful candidates.
- (c) Provide a reference should this be required at a later date.

YOUR LEGAL RIGHTS

As a **data subject**, you have the following rights under the **Data Protection Laws**:

- the right to object to **processing** of your **personal data**;
- the right of access to **personal data** relating to you (known as data subject access request);
- the right to correct any mistakes in your **personal data**;
- the right to prevent your **personal data** being processed;
- the right to erasure;
- the right to have your **personal data** ported to another **controller** (note not relevant).

These rights are explained in more detail below. If you want to exercise any of your rights, please contact us (please see "How to contact us").

We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within three months.

Please be aware that there are exceptions and exemptions that apply to some of the rights which we will apply in accordance with the **Data Protection Laws**.

➤ **Right to object to processing of your personal data**

You may object to us **processing** your **personal data** where we rely on a legitimate interest as our legal grounds for **processing**.

If you object to us **processing** your **personal data** we must demonstrate compelling grounds for continuing to do so. We believe we have demonstrated compelling grounds in the section headed "Why do we need your personal data". The key point to note is that without processing your data, we will not know as much about you which could affect our assessment of your suitability for a role with us.

➤ **Right to access personal data relating to you**

You may ask to see what **personal data** we hold about you and be provided with:

- a copy of the personal data;
- details of the purpose for which the personal data is being or is to be **processed**;
- details of the recipients or classes of recipients to whom the personal data is or may be disclosed, including if they are overseas and what protections are used for those overseas transfers;

- the period for which the personal data is held (or the criteria we use to determine how long it is held);
- any information available about the source of that data; and
- whether we carry out an automated decision-making, or profiling, and where we do information about the logic involved and the envisaged outcome or consequences of that decision or profiling.

To help us find the information easily, please provide us as much information as possible about the type of information you would like to see.

➤ **Right to correct any mistakes in your information**

You can require us to correct any mistakes in your information which we hold. If you would like to do this, please let us know what information is incorrect and what it should be replaced with.

➤ **Right to restrict processing of personal data**

You may request that we stop **processing** your **personal data** temporarily if:

- you do not think that your data is accurate. We will start **processing** again once we have checked whether or not it is accurate;
- the **processing** is unlawful but you do not want us to erase your data;
- we no longer need the **personal data** for our **processing**, but you need the data to establish, exercise or defend legal claims; or
- you have objected to **processing** because you believe that your interests should override our legitimate interests.

➤ **Right to erasure**

You can ask us to erase your **personal data** where:

- you do not believe that we need your data in order to **process** it for the purposes set out in this Privacy Notice;
- if you had given us consent to process your data, you withdraw that consent and we cannot otherwise legally **process** your data;
- you object to our **processing** and we do not have any legitimate interests that mean we can continue to **process** your data; or
- your data has been **processed** unlawfully or have not been erased when it should have

been.

➤ **Right to data portability (note not relevant)**

In some scenarios, you may ask for an electronic copy of your **personal data** which we hold electronically or you can ask us to provide this directly to another party. This right does not apply as we do not **process** your **personal data** based on your consent or on a contract with us.

What will happen if your rights are breached?

You may be entitled to compensation for damage caused by contravention of the **Data Protection Laws**.

Complaints to the regulator

It is important that you ensure you have read this Privacy Notice - and if you do not think that we have **processed** your data in accordance with this notice - you should let us know as soon as possible. You may also complain to the **ICO**. Information about how to do this is available on his website at www.ico.org.uk.