

A-17 REALrating (Employer Contextualisation) Privacy Notice

1. Purpose

upReach (“we”, “our”, “us”) needs to keep certain information about the people (“REAL Users”) who complete an online form (“REAL Form”) on the REALrating website at the request of an employer (our “Service User”) who uses our technology, tools and services as part of their recruitment processes.

This REALrating (Employer Contextualisation) Privacy Notice (“Privacy Notice” “Notice”) sits on the part of the REALrating website (“REAL” or “REALrating”) created for the exclusive use of the Service User. upReach and its Service Users use some of the information submitted by you (a REAL user) on the REALrating website to inform recruitment decisions by understanding the context in which academic grades have been achieved. Other information collected may be used by Service Users to monitor equal opportunities, and may be used by upReach for research purposes and to assess your eligibility to be invited to join a free upReach programme of employability support (details of which can be viewed at www.upreach.org.uk/).

upReach has prepared this Privacy Notice to outline our practices regarding the collection, use, disclosure, transfer and other processing of personal information and special category data collected when as part of your application for a job with one of our Service Users you complete and submit information to us using the REALrating form. By agreeing to this Privacy Notice you also consent to us sharing information with that same Service User. Please make sure you have read and agreed to their privacy notice and procedures before agreeing to this Notice.

2. Data Controller information and principles

In accordance with GDPR definitions, upReach, whose address is Ground Floor, Studio 18, Blue Lion Place, 237 Long Lane, London, SE1 4PU is the Data Controller, with the CEO and Trustees therefore ultimately responsible for its implementation. upReach has designated Gavin Davis, Finance Manager, as the person responsible for Data Protection matters at upReach. His contact details can be found at the end of this document.

upReach is committed to ensuring that any information provided is collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this upReach will process any Personal Information fairly and lawfully, in accordance with this Privacy Policy and in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and observes the Data Protection Principles below.

Article 5 of the GDPR requires that personal data shall be:

- a) processed lawfully, fairly and in a transparent way;
- b) collected only for valid and explicit purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes

- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept only as long as necessary for the purposes we told you about; and
- f) processed securely using appropriate technical or organisational measures.

upReach, it's staff and others who process or use any personal information must ensure that they follow these principles at all times. In order to ensure that this happens, we have developed this Privacy Notice.

3. Information collection and use

While using this website and services, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you. Personally identifiable information may include, but is not limited to your name and contact details ("Personal Information").

A. Personal Information Collection

Subject to this Notice, upReach will treat as confidential the personal information that it collects about you. upReach may collect the following categories of personal information about REAL Users:

Your name, university email address, educational details (including the name of your school/college, your course, your previous school(s)/college(s), and A-level & GCSE or equivalent subjects and grades), gender, home postcode during A levels and GCSEs or equivalent, your historic Free School Meals (FSM) eligibility, refugee or asylum seeker status, whether you have spent more than 3 months in care, had caring responsibilities while at school or college, your parents occupation and whether they went to university.

We may also ask you details relating to your employability including any work experience or job that you may have had or will have (including salary information), personal interests and academic/career aspirations.

A list of what information is defined as personal data can be found in the Glossary section.

Special Category Data Collection

upReach may also need to process some special category data. Accepting the terms of this Privacy Notice also allows upReach to process the special category data you provide in order to monitor the diversity of applications to Service Users. By providing this information, you are consenting to us processing it and retaining it for the period set out in this Notice. This includes information about your ethnic origin, sexual orientation, religion and any disabilities or medical conditions you may have.

A list of what information is defined as special category data can be found in the Glossary section.

B. Purposes of Use of Personal Information & Special Category Data

upReach may use the personal information and special category data (“personal data”) listed above and will share this information with the Service User who directed you to complete the REAL Form. It will do so for the following purposes:

- To inform recruitment decisions by understanding the context in which A-Level (or equivalent) grades have been achieved. An algorithm processes some of the information provided to calculate contextualised A-Level grades (and an associated contextualised adjustment score and REALrating which is the equivalent in UCAS points).
- For equal opportunity monitoring or research purposes, REAL or upReach evaluation purposes.
- To assess your eligibility to join a free upReach programme of employability support offered to those from less-advantaged backgrounds. If your responses indicate that you might be eligible to receive employability support from upReach, we may contact you to invite you to apply to our programme and
- Various administrative purposes in connection with the operation of upReach or our Service User recruitment processes

4. User Consent for Processing Data and Legal Basis

In order for upReach and its Service Users to receive your contextualised A-Level grades (and associated adjustment scores and REALrating) as part of a Service User’s recruitment process, you are required to accept the terms of this Notice. This consent is the primary Legal Basis which allows upReach to process the personal & special category data you provide. By accepting the terms of this Notice, you are agreeing to your data being processed for the purposes stated above.

The other legal bases we may use to process your data includes Legal Obligation (where we are otherwise required by law such as court orders or regulatory requirements). See Glossary below.

5. upReach Obligations

All employees of upReach have some responsibility for ensuring data is collected, stored and handled appropriately in line with the Data Protection Principles set out in Article 5 of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. In addition all upReach staff are responsible for ensuring:

- Data is not shared informally. Access to data is restricted and will only be used by those who have legitimate interest.
- Any personal data, which they hold, is kept securely. For example, if it is computerised, be protected by a strong password that is never shared.
- Associate data is not disclosed to unauthorised people, internally or externally.

The CEO and the person with designated responsibility for data protection matters are responsible for ensuring all implemented and new systems, services and equipment used for storing data meet acceptable security standards and perform regular checks to ensure proper functionality.

upReach is obliged to abide by all legal requests for information made by law enforcement or judicial bodies.

6. REAL User Obligations

REAL Users must ensure that all personal data provided to the Charity is accurate and up-to-date. They must ensure that the Charity is kept up-to-date with, for example, changes of telephone number or email address.

7. Disclosure and international transfers of personal information

We may disclose your personal data to upReach staff, Trustees or the Service User who directed you to complete the REAL Form in line with purposes set out above only. If necessary and in accordance with applicable laws, upReach may disclose personal data to our outside professional advisers and to other third parties processors that provide products or services to upReach, such as IT systems providers.

Where the processing of personal data is delegated to a third party data processor, upReach will choose a data processor that provides sufficient guarantees with respect to technical and organisational security measures governing the relevant processing and will ensure that the processor acts on our behalf and under our instructions.

Where third party processing or storage takes place outside the United Kingdom or EEA (European Economic Area), upReach recognises these as 'restricted transfers' and conducts an 'adequacy assessment' to ensure the proposed transfer will provide an adequate level of protection for the rights of the data subjects and takes steps to establish appropriate data protection and information security requirements with recipients to confirm that data is properly protected in accordance with this Notice and all applicable laws.

8. Use of Cookies

This site uses cookies to optimise your user experience. Cookies are files with small amount of data, which may include an anonymous unique identifier. Cookies are sent to your browser from a web site and stored on your computer's hard drive. By using this site you are consenting to our use of these cookies.

9. Log Data

Like many site operators, we collect information that your browser sends whenever you visit our website ("Log Data"). This Log Data may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, the pages of our website

that you visit, the time and date of your visit, the time spent on those pages and other statistics. This helps us to improve the site by monitoring how you use it.

We may use third party services such as Google Analytics to collect, monitor and analyze this in order to help us measure traffic and usage trends for the website. We collect and use this analytics information in aggregate form such that it cannot reasonably be manipulated to identify any particular individual user.

10. Changes to the policy

Should upReach decide to substantially modify the manner in which it collects or uses Personal Information, the type of Personal Information that it collects or any other aspect of this Notice, upReach will notify you as soon as possible of such changes by re-issuing a revised Notice on the REALrating website.

11. Right to Access and accuracy of your personal information

You are entitled to request and access the information held about you that upReach holds (subject to limited exceptions), as stated in the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. In addition, you have the right to have inaccurate Personal Information corrected or removed and to object to the processing of your Personal Information. If you wish to access such Personal Information, you should apply in writing to Gavin Davis, Finance Manager, at gavin.davis@upreach.org.uk

To assist us in maintaining accurate personal data, you must advise us of any changes to your personal data. In the event that upReach becomes aware of any inaccuracy in the personal data that it has recorded, the upReach will correct that inaccuracy at the earliest practical opportunity.

12. Retention of Data

upReach will maintain the personal data of those completing REALrating on behalf of a Service User for one year from the closing date of the Service User's recruitment process that requested you to complete the REAL Form. On that retention end date, upReach will delete any personally identifiable information in order to retain the remaining information for statistical purposes.

The personal data of any those completing the REAL Form who go on to apply to become or successfully become an upReach Associate will be processed and held in accordance with the upReach Associate User Agreement, which is provided on the upReach website (www.upReach.org.uk)

13. Security

upReach maintains appropriate technical and organisational security measures including staff training to protect personal data against accidental or unlawful destruction, or

accidental loss, alteration, unauthorised disclosure or access, in compliance with applicable laws.

Compliance with GDPR is the responsibility of all members of upReach. Any deliberate breach of GDPR or this Notice may lead to disciplinary action being taken, or access to Charity facilities being withdrawn, or even a criminal prosecution. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Operations Manager.

upReach is committed to following this agreement and takes seriously any breaches. If you feel that this policy has not been followed in respect of your personal data please contact Gavin Davis immediately, who will take appropriate action.

14. Links to Other Websites and Services

upReach is not responsible for the practices employed by websites or services linked to or from its website (<http://realrating.co.uk>); including the information or content contained therein. Please remember that when you use a link to go from this site to another website, our Notice does not apply to third-party websites or services. Your browsing and interaction on any third-party website or service, including those that have a link or advertisement on our website, are subject to that third party's own rules and policies.

15. Questions?

Please address all questions to Gavin Davis, Finance Manager at gavin.davis@upreach.org.uk

Glossary of Terms

Adequacy Assessment

An assessment of the risk of transferring data outside the EEA ensuring protection is adequate in all the circumstance of the case. The assessment considers the nature of the data, the risk to the rights of the individual, the purposes and period of transfer.

Consent

GDPR defines this as any freely given specific and informed indication of his wishes by which the data subject signifies his agreement to personal data relating to him being processed. Consent can be withdrawn after it has been given.

Data

Any information which will be processed, or, used on or by a computerised system, additionally it also includes information contained within a "relevant filing system" of information. Data can therefore be written, tape, photographic or digital.

Personal Data

Personal data means any information relating to a living individual who can be identified.

Examples of data which would fall into this category include:

- Name/s
- Gender
- Date of birth
- Educational details - Schools, University, subjects & grades
- Personal & university email addresses, phone numbers, postal addresses
- Postcode during A levels (or equivalent)
- Free School Meals (FSM) eligibility
- Refugee or asylum seeker status
- Time in care
- Caring responsibilities during school or college
- Parents occupation and university status

Special Category Data

This means data which relates to sensitive aspects of a living and identifiable individual's life. Data which falls into this category includes:

- Race
- Ethnic origin
- Politics
- Religion
- Trade Union Membership
- Genetics
- Biometrics (when used for ID purposes)
- Health
- Sex life
- Sexual orientation

Data Subject

The person who is the subject of the "personal data".

Data Controller

A person who determines the purposes for which, and the manner in which, any personal data are, or are to be, processed.

Data Processor

Any person (other than an employee of the data controller) who processes data on behalf of the data controller. The data controller retains responsibility for the actions of the data processor.

Legal Obligation

Where data processing is necessary for us to comply with the law (not including contractual obligations).

Legitimate Interest

Where data processing is allowed because of a legitimate interest of the data subject and/or the Data Controller.

Limited Exceptions

Processing of personal and Special Category data including responding to a Subject Access Request may, in rare circumstances, be restricted when personal data is subject to situations involving “crime and taxation purposes” which include:

- the prevention or detection of crime;
- the capture or prosecution of offenders; and
- the assessment or collection of tax or duty.

Processing

Covers almost anything which is done with or to the data, including:

- obtaining data
- recording or entering data onto the files
- holding data, or keeping it on file without doing anything to it or with it
- organising, altering or adapting data in any way
- retrieving, consulting or otherwise using the data
- disclosing data either by giving it out, by sending it on email, or simply by making it available
- combining data with other information
- erasing or destroying data
- using the data within research

REAL Form

The online form accessed via a link sent to you by a Service User.

REAL User

A person who completes and submits information using a REAL Form.

Recipient

Any person to whom the data are disclosed, including any person to whom they are disclosed in the course of processing the data for the Data Controller (e.g. an employee of the data controller, a data processor or employee of the data processor).

Restricted Transfer

A transfer of personal data outside the protection of the GDPR most often involves a transfer from inside the EEA to a country outside the EEA.

Service User

An employer who uses upReach technology, tools and services as part of their recruitment processes eg REALrating

Subject Access Request

The process by which individuals can find out what personal or Special Category data an organisation holds about them, why they hold it and who they disclose it to.

Third Party

A natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor are authorised to process personal data.

Contact details for the person responsible for Data Protection matters at upReach:

Name:	Gavin Davis
Email:	gavin.davis@upreach.org.uk

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Reviewed by:	Gavin Davis
Effective from:	13/08/2020