



# PEMBROKE HOUSE





# JOB APPLICANT PRIVACY NOTICE

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## 1. INTRODUCTION

- 1.1. Pembroke is committed to protecting the privacy and security of your personal information. (“School”, “We” “Us” “Our”), is committed to protecting the privacy and personal information of our job applicants.
- 1.2. This Job Applicant Privacy Policy outlines the types of information we collect, how we use and protect it, and the rights of job applicants in relation to their personal data.

## 2. WHO IS PEMBROKE?

- 2.1. Pembroke House School is a unique British Boarding School located in the heart of Kenya. We are a small, multicultural school of around 200 pupils, and cater for boys and girls aged 6 months to 13 years. We have a 90-year history of private education in East Africa, and our focus is on developing well-rounded, happy, independent, polite, and confident pupils. We are members of the Independent Association of Preparatory Schools (IAPS) and we follow the British Common Entrance curriculum.
- 2.2. We are located along Nyahururu Road, Gilgil, Kenya.

## 3. WHO DOES THIS PRIVACY NOTICE APPLY TO?

- 3.1. This Privacy Notice applies to the personal data of all job applicants including job applicants based in Kenya and expatriates. This data is collected during the recruitment process.
- 3.2. This policy does not cover the privacy practices of third-party websites or services that may be linked to or accessible through our website. We encourage you to review the privacy policies of those third parties before providing any personal information.
- 3.3. By submitting your application and personal information, you acknowledge that you have read and understood this Job Applicant Privacy Policy.

## 4. WHAT IS PERSONAL DATA?

For purposes of this Job Applicant Privacy Notice, personal data means any information relating to an identified or identifiable natural person. This is an individual who can be identified directly or indirectly in reference to an identifier such as a name, identification number, location data, an online identifier or to one or more factors specific to physical,



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physiological, genetic, mental, economic, cultural, or social identity of that natural person.

## 5. TYPES OF DATA COLLECTED, PURPOSES AND LAWFUL REASONS FOR COLLECTION

5.1. As part of our recruitment process, we collect and process personal data relating to Job Applicants: -

Type of Information collected	Purpose for Collection	Lawful Reason
<b>Identification details:</b> name, date of birth, ID no/passport number	to identify and verify job applicants.	<ul style="list-style-type: none"><li>• <b>Legal Obligation:</b> to comply with legal requirements for employment verification</li></ul>
<b>Contact details:</b> telephone number, personal email address, postal address.	<ul style="list-style-type: none"><li>• To communicate with job applicants regarding the application process</li></ul>	<b>Legitimate interests</b> <ul style="list-style-type: none"><li>• To schedule interviews and assessments</li></ul> To provide updates on the application process
<b>Education &amp; Work History:</b> Information contained in CVs and Cover Letters, Academic and professional certificates	<ul style="list-style-type: none"><li>• To assess the qualifications, skills, and experience of job applicants.</li></ul>	<b>Legitimate Interests</b> <ul style="list-style-type: none"><li>• To evaluate suitability for the applied.</li></ul>
<b>Interviews:</b> interview dates, responses given during job interview, interview notes	<ul style="list-style-type: none"><li>• To assess the job applicant's responses, qualifications, and suitability for the role</li></ul>	<b>Legitimate Interests</b> <ul style="list-style-type: none"><li>• To evaluate suitability for the applied.</li></ul>
<b>Background search results</b> including reference checks, police checks (local applicant) DBS checks (expatriates).	<ul style="list-style-type: none"><li>• To verify information provided by the job applicant</li></ul>	<b>Legitimate Interests</b> <ul style="list-style-type: none"><li>• To assess the job applicant's suitability, performance</li></ul> <b>Legal Obligation</b> <ul style="list-style-type: none"><li>• To comply with Occupational Health and Safety requirements</li></ul>
<b>CCTV footage</b> when you visit our offices	<ul style="list-style-type: none"><li>• To secure School premises and assets.</li></ul>	<b>Legitimate interests</b> <ul style="list-style-type: none"><li>• To monitor and ensure the safety and security of the workplace</li></ul>
<b>Car Registration Details</b> (if you visit our with a car)	<ul style="list-style-type: none"><li>• To manage parking facilities and ensure</li></ul>	<b>Legitimate interests</b> <ul style="list-style-type: none"><li>• To manage parking facilities and ensure</li></ul>



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Type of Information collected	Purpose for Collection	Lawful Reason
	security on School premises	security on School premises
<b>Correspondence:</b> Any correspondence with job applicants through emails or phone calls	<ul style="list-style-type: none"><li>To communicate with job applicants regarding the application process</li></ul>	<b>Legitimate Interests</b> <ul style="list-style-type: none"><li>To address inquiries and provide information</li></ul>
<b>Online identifiers i.e., IP addresses, cookies, usernames etc.</b>	To monitor and improve website functionality and user experience	<b>Consent (where applicable)</b> <b>Legitimate Interests</b> <ul style="list-style-type: none"><li>To detect and prevent fraudulent activities</li></ul>

- 5.2. Please note that the lawful basis for collection may vary depending on applicable data protection laws and the specific circumstances of data processing.
- 5.3. The School does not usually request information regarding your race, ethnicity, political opinions, religion and religious beliefs, trade union membership, details of your spouse or children, sexual orientation, or political affiliation as part of your application. Unless specifically responding to a question, please do not include this type of personal data. If we require this information in connection with your application, we will inform you of the reasons and lawful basis for the collection.
- 5.4. If you fail to provide the required information or provide inaccurate or incomplete information, it may hinder our ability to properly evaluate your application. This could result in the rejection of your application or the inability to proceed with the recruitment process.

## 6. HOW IS YOUR PERSONAL DATA COLLECTED?

- 6.1. We get information about you from the following sources

- **Directly from you** – we collect personal data from you directly when you submit an application or information relating to a vacancy by email or hardcopy format.
- We may collect information about you **indirectly** such as: -
  - o when we hire a recruitment agency to source for candidates on our behalf
  - o when you visit our website, our website may collect cookies and other online identifiers
  - o information we receive from referees or background search agencies



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- o CCTV footage when you visit our School
- o Information you publish on job search engines such as LinkedIn

## 7. RETENTION PERIOD

**7.1.** We retain the personal information of unsuccessful job candidates for a period of three years from the date of the decision or completion of the recruitment process. This retention period allows us to defend ourselves in case of any legal claims or disputes that may arise.

**7.2.** For successful job candidates who are hired, we retain their personal information for the duration of their employment with our School and for a period of five years after the termination of their employment. This extended retention period ensures compliance with legal, contractual, and regulatory requirements, as well as for potential reference purposes.

**7.3.** During the retention period, appropriate measures will be taken to protect the personal information from unauthorised access, use, disclosure, alteration, or destruction.

**7.4.** After the expiration of the respective retention periods, we will securely dispose of or anonymise the personal information in a manner that complies with applicable data protection laws and regulations.

## 8. INTERNATIONAL TRANSFERS

**8.1.** To fulfill the purposes outlined in clause 6 of this Privacy Policy, your data may be transferred via our IT cloud systems.

**8.2.** We will only transfer your personal data outside Kenya where such transfer is compliant with the provisions of the Data Protection Act 2019 and the Data Protection (General) Regulations, 2021.

**8.3.** To ensure that your personal data receives adequate levels of protection, we carefully select third party services providers who can provide sufficient guarantees regarding adequate security measures to safeguard your personal information.



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## 9. HOW YOUR PERSONAL INFORMATION IS SHARED

**9.1.** We take great care to ensure that your personal information is only accessed by authorised individuals.

**9.2.** We may share your Personal Data in the following ways:

- Academic or regulatory bodies to validate qualifications and experience
- Your referees
- DBS and similar background checks agencies (this applies to expatriate employees)
- Professional advisors and consultants
- Employment and recruitment agencies

**9.3.** Whenever we authorise third parties to access your Personal Data, we take steps to ensure they have appropriate security measures in place and that they only use the Personal Data confidentially and in a manner that is consistent with this Privacy Policy.

## 10. HOW WE PROTECT YOUR PERSONAL DATA

**10.1.** Pembroke put in place appropriate technical, administrative, physical, and procedural security measures to protect the personal data from being accidentally lost, misused, subject to unauthorised access or disclosure, loss, alteration, or destruction. These measures include:

- Physical safeguards, such as locked doors and file cabinets, controlled access to our facilities, and secure destruction of media containing personal data.
- Technology safeguards, such as use of anti-virus and endpoint protection software, passwords, encryption, and monitoring of our systems to ensure compliance with our security policies.
- Organizational safeguards, through training and awareness programs on security and privacy, to ensure employees understand the importance and means by which they must protect personal data, as well as through privacy policies and Notice standards that govern how Pembroke treats personal data.

**10.2.** If you suspect any misuse or loss of or unauthorized access to your personal data, please let us know immediately by sending us an email on [privacy@pembrokeschool.sc.ke](mailto:privacy@pembrokeschool.sc.ke)

## 11. WHAT RIGHTS DO YOU HAVE OVER YOUR DATA?

**11.1.** The Data Protection Act accords you with several rights over your data:



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- o **right to information:** you have a right to be informed of how Pembroke will use your personal data.
- o **right of access:** you are entitled to access your personal data that is in our possession or custody.
- o **right to object:** you can object to the processing of all part of your personal data, unless we can demonstrate a compelling legitimate interest for the processing which overrides your interests or for the establishment, exercise or defence of a legal claim.
- o **right to rectification:** you have the right to request us to rectify or correct, without undue delay, personal data in our possession or under our control that is inaccurate, outdated, incomplete or misleading
- o **right to erasure:** you can request us to delete or destroy, without undue delay personal data that we are no longer authorized to retain, or which is irrelevant, excessive, or obtained unlawfully.
- o **right to data portability:** you have the right to receive personal data concerning you in a structured, commonly used, and machine-readable format and to transmit the data to another data controller without hindrance. You also have the right, where technically possible, to have personal data transmitted directly from us to another data controller or data processor.
- o **automated decision making** you have the right not to be subjected to a decision based solely on automated processing, including profiling, which produces legal effects concerning or that significantly affects you. If we make decisions based on the automated processing of your personal data, we will inform you in writing. In those instances, you will have the right to request us to reconsider any decisions made based on automated processing or to take a new decision that is not based solely on automated processing.
- o **right of restriction:** You have the right to request us to restrict the processing of personal data where: -
  - o you contest the accuracy of the personal data
  - o the personal data is no longer required for the purpose of the processing
  - o the processing is unlawful of you have opposed the erasure of the personal data and requested for restriction of its use instead.
  - o you have objected to the processing of personal data, pending verification as to whether our legitimate interests override your interests over the data.



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- o **right to raise a complaint:** You can raise a complaint about our processing with the Regulator i.e., the Data Commissioner in Kenya. You may also be able to seek a remedy through the courts if you believe that your rights have been breached.

**11.2.** If you wish to exercise any of the rights stated in clause 14, please write an email to the Data Protection Officer (DPO) on [dpo@pembrokehouse.sc.ke](mailto:dpo@pembrokehouse.sc.ke).

**11.3.** When your information is processed by third-party services providers, we will promptly request third parties to your personal data.

**11.4.** In order to ensure that we release information to the correct individual, we may request identification verification. In some cases, we will not be able to comply with your request. If this happens, you will be duly notified.

## 12. YOUR RESPONSIBILITIES

**12.1. Providing accurate information:** It is your responsibility to provide accurate and up-to-date personal information during the job application process. This includes details such as your contact information, employment history, educational background, and any other relevant information requested by the employer.

**12.2. Security measures:** While we take appropriate measures to protect your personal information, it is important for job applicants to also take precautions to safeguard their own information. This includes using secure internet connections when submitting online applications, keeping login credentials confidential, and being cautious when sharing personal information through email or other communication channels.

**12.3. Reference information confidentiality:** As a job applicant, it is your responsibility to respect the confidentiality of information related to your references. When providing references, you should seek their consent and inform them that their contact information and any relevant details will be shared with the employer for the purpose of evaluating your application. You should also advise them to refrain from disclosing any confidential or sensitive information about themselves or others during the reference process. By ensuring the confidentiality of reference information, you help maintain trust and protect the privacy of all individuals involved in the job application process.

## 13. CHANGES TO THIS POLICY



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- 13.1.** We reserve the right to update or modify this Job Applicant Privacy Policy from time to time. Any changes will be effective immediately upon posting the revised policy on our website or notifying you through other appropriate means. It is your responsibility to review this policy periodically to stay informed about any updates or modifications.
- 13.2.** By continuing to use our services or submitting job applications after any changes to this policy, you acknowledge and agree to the revised terms. If you disagree with any changes to this policy, you should refrain from using our services or submitting job applications.
- 13.3.** We encourage you to regularly check this page for the most up-to-date version of our Job Applicant Privacy Policy.

### **14. TO WHOM SHOULD I DIRECT A QUESTION A COMPLAINT?**

If you have any questions or complaints about the processing of personal data, you can contact our Data Protection Officer on the following email address [privacy@pembroke.sc.ke](mailto:privacy@pembroke.sc.ke) You can also write a letter addressed to:

The DPO,  
Pembroke House School,  
P.O BOX 31-20116, Gilgil  
Nyahururu, Kenya.