

Privacy Notice - Job Applicant

MCAST is the Data Controller for the purpose of the Data Protection Act (Chapter 586 of the Laws of Malta) and General Data Protection Regulation (EU) 2016/679 (GDPR), meaning the entity that defines the purposes and means for collecting and processing job applicants' personal data through this Recruitment Portal.

By submitting an application together with any relevant supporting documentation (the "Application") to MCAST, you provide us with personal data (the "Personal Data") in the capacity of a data subject.

As part of the recruitment process, the MCAST collects and processes Personal Data relating to job applicants in line with the GDPR (Regulation (EU) 2016/679), the Data Protection Act (Chapter 586 of the Laws of Malta), and other applicable laws.

The MCAST is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This Privacy Notice sets out the way in which we collect and process your Personal Data as a job applicant, as well as the steps we take to protect such information.

The information we process about you as a Job Applicant

As part of the recruitment process, the MCAST collects the following information:

- Your name, date of birth, address and contact details: including email address and phone number and nationality;
- Your Application forms or Curriculum Vitea including details of your qualifications, skills, experience and employment history;
- Referral source, names and contact details for references. Please note that it is the applicant's responsibility to obtain consent from his/her references prior to providing us personal information about them;
- Photographs if included on CVs or otherwise on supplementary documents submitted as part of the recruitment process;
- Whether or not you have a disability for which the MCAST needs to make reasonable adjustments during the recruitment process. The legal basis we rely on when processing special category data, is Article 9(2)(b) of the GDPR, which also relates to our obligations in employment and the safeguarding of your fundamental rights, and article 9(2)(h) for assessing your work capacity as an employee and making reasonable adjustments if necessary;

- Police conduct certificate;
- Employment History from Jobsplus;
- Information about your entitlement to work in Malta.

Purpose of collecting and processing your personal data

1. The legal basis for processing your personal data is based on Article 6(1)(c) of the Regulation whereby we ensure to comply with our legal obligations in relation to Employment, Anti-discrimination, and Data Protection laws.
2. The MCAST has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process as per Article 6(1)(f) of the Regulation. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and select the most suitable candidate. We may also need to process data from job applicants in the exercise and defence of legal claims.
3. We also may rely on Article 6(1)(b) of the GDPR for processing your personal data which relates to the necessary processing to perform a contract or to take steps at your request, before entering into a contract. This same basis will also be relied upon for any contractual agreement we may have in place with recruitment agencies through which you would have submitted your application.
4. We also may process your personal data on the basis of Article 6(1)(a) of the GDPR which relates to consent. In certain instances, due to the nature of the processing operations, we shall only process such personal data upon obtaining consent for one or more specific purposes.

Who has access to your data?

1. Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the human resources department, the Interviewing Board, and members of the Senior Management Team.
2. We shall not disclose your personal data to third-party entities, unless you provide your explicit consent, or under the following scenarios:
 - To comply with our legal obligations or contracts, or to respond to a court order, administrative or judicial process, such as a subpoena or search warrant;

- In response to lawful requests by public authorities (such as national security or law enforcement);
- As necessary to establish, exercise or defend against potential, threatened or actual litigation;
- Where necessary to protect the MCAST's, your, or those interests of any other person; or

How do we protect your data?

1. We have put in place appropriate security controls and internal policies to protect your data against loss, misuse and unauthorised access, alteration, disclosure, or destruction. Moreover, all efforts are being taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information.
2. We have also put in place procedures to deal with any suspected data security breach and will notify you and the Supervisory Authority (IDPC) of a suspected breach where we are legally required to do so in accordance with applicable law.

Retention of your data

1. If your application for employment is unsuccessful, MCAST will retain your data for a period of one (1) year following the validity period of the respective result in case:
 - a. We face a legal challenge in respect of a recruitment decision, this in line with the Employment and Industrial Relations Act (Chapter 452 of the Laws of Malta).
 - b. The successful candidate is unable to take up or retain the post.Following the end of the retention period, all your data will be deleted from this portal / removed from files.
2. If your application for employment is successful, the personal data gathered during the recruitment process will be retained throughout the duration of your employment. Once your on-boarding is completed, you will be able to access our Data Retention Policy which defines the retention periods for your data.

Your rights

1. We respect your privacy rights and provide you with reasonable access to the Personal Data that you may have provided during the recruitment process. As a data subject you have the following rights:
 - a) The right for information;
 - b) The right to access;
 - c) The right to rectification;
 - d) The right to erasure;
 - e) The right to restrict processing;
 - f) The right to object;
 - g) The right to data portability;
 - h) The right to complain to a supervisory authority; and
 - i) The right to withdraw consent.
2. If you would like to exercise any of these rights, please contact MCAST DPO at dpo@mcast.edu.mt. We will respond to these requests in accordance with the Applicable Law.
3. If you believe that the MCAST has not complied with your data protection rights, you can complain to the local Supervisory Authority at idpc.info@idpc.org.mt.

Changes to this Privacy Notice

Please note that this Privacy Notice may change from time to time. If we change this Notice in ways that affect how we use your personal information, we will advise you of the choices you may have, as a result of those changes.