



Deutsche Schule Nairobi  
German School Nairobi



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# JOB APPLICANT PRIVACY NOTICE



## Table of Contents

1. INTRODUCTION .....	3
2. WHO IS GERMAN SCHOOL? .....	3
3. WHAT IS THE PURPOSE OF THIS NOTICE? .....	3
4. WHO DOES THIS PRIVACY NOTICE APPLY TO?.....	4
5. WHAT IS PERSONAL DATA? .....	4
6. WHAT PERSONAL DATA DO WE COLLECT? .....	4
7. HOW IS YOUR PERSONAL DATA COLLECTED? .....	6
8. WHY WE COLLECT, USE AND STORE YOUR PERSONAL DATA.....	6
9. OUR LAWFUL BASES FOR PROCESSING YOUR DATA .....	7
10. INTERNATIONAL TRANSFERS .....	7
11. HOW YOUR PERSONAL INFORMATION IS SHARED .....	8
12. HOW WE PROTECT YOUR PERSONAL DATA.....	9
13. WHAT RIGHTS DO YOU HAVE OVER YOUR DATA? .....	9
14. HOW TO EXERCISE YOUR RIGHTS.....	11
15. YOUR RESPONSIBILITIES .....	11
16. TO WHOM SHOULD I DIRECT A QUESTION A COMPLAINT? .....	12



## 1. INTRODUCTION

Welcome to German School's Job Applicants' Privacy Notice. We appreciate you taking the time to read all our notices carefully.

German School ("the School" "We" "Us" "Our") is committed to ensuring that your personal data is collected and used lawfully and transparently. We process your personal information according to the provisions of the Data Protection Act, 2019 and the Data Protection (General) Regulations, 2021.

## 2. WHO IS GERMAN SCHOOL?

German School Nairobi is a bilingual, multicultural, modern school in the heart of Nairobi offering primary and secondary education following a German curriculum. We nurture every child in the values of Worldwide Cosmopolitanism, Interest and Respect to fulfil their individual goals and aspirations. We are committed to protecting your privacy and that of your child(ren) when dealing with your personal data.

We are located along Limuru Road, Gigiri (across Village Market)

## 3. WHAT IS THE PURPOSE OF THIS NOTICE?

As part of our recruitment process, German School collects and processes personal data relating to job applicants to assess their suitability for open positions. We are committed to being transparent about how we collect and use personal data as well as meeting the data protection obligations set out in the Data Protection Act, 2019 and the Data Protection (General Regulations) 2021

The School is a "data controller" under the Data Protection Act, 2019. This means that we are responsible for deciding how we hold and use personal information about you.

This Privacy Notice explains:

- a) the types of personal data we collect about you
- b) how we collect, use, store, transfer or share your personal data.
- c) your data rights over your personal data how you can exercise these rights.
- d) the internal points of contact, should you have any questions about our use of your Personal Data.



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

- 4.1. This Job Applicant Privacy Policy applies to all personal information collected, processed, and stored by The Company during the job application and recruitment process. It encompasses all stages of recruitment, including the submission of applications, interviews, assessments, and background checks. This policy applies to all job applicants, whether they apply through our website, email, or any other method.
- 4.2. 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.
- 4.3. By submitting your application and personal information, you acknowledge that you have read and understood this Job Applicant Privacy Policy.
- 4.4. It is important to point out that we may amend this Privacy Notice from time to time.

Please visit [this page](#) if you want to stay up to date, as we will post any changes here.

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

#### 6. WHAT PERSONAL DATA DO WE COLLECT?

- 6.1. As part of our recruitment process, we collect and process personal data relating to job applicants. We collect a range of information about you. This includes: -

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.	<b>Lawful obligations</b>
<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>



<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>
<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>
<b>Background search results</b> including police clearance certificates and references from former employers, information from referees	<ul style="list-style-type: none"> <li>To verify information provided by the job applicant</li> </ul>	<ul style="list-style-type: none"> <li>Legitimate Interest</li> <li>Legal Obligation</li> </ul>
<b>CCTV footage</b> when you visit our offices	<ul style="list-style-type: none"> <li>To secure the The Company' premises and assets.</li> </ul>	<b>Legitimate interests</b>
<b>Car Registration Details</b> (if you visit The Company with a car)	<ul style="list-style-type: none"> <li>To manage parking facilities and ensure security on the The Company' premises</li> </ul>	<b>Legitimate interests</b>
<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>
<b>Online identifiers i.e., IP addresses, cookies, usernames etc.</b>	To monitor and improve website functionality and user experience	<ul style="list-style-type: none"> <li>Consent (where applicable)</li> <li>Legitimate Interests</li> </ul>

6.2. Please note that the lawful basis for collection may vary depending on applicable data protection laws and the specific circumstances of data processing.

6.3. German School does not usually request for sensitive personal information i.e., 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 in regards with your application. Unless specifically responding to a question asked by us, please do not include sensitive personal data as part of your application. If we do require this information in connection with your application, this will be highlighted to you where we will obtain necessary consents and acknowledgements.



- 6.4. If you are successfully hired, the School keeps this information for the course of the employment relationship and, to the extent permitted, after the termination of employment.
- 6.5. If your application is not successful, we may retain and use your personal data for a further three (3) years in order to consider you for other job opportunities where permitted by applicable law and/or for as long as necessary to comply with legal record retention requirements. If you do not wish us to retain your personal data, please contact us on [dpo@deutscheschulena.com](mailto:dpo@deutscheschulena.com)

## 7. HOW IS YOUR PERSONAL DATA COLLECTED?

- 7.1. We get information about you from the following sources: -
  - a) **Directly from you** – This is received either through email or in hard copy or during virtual/face-to-face interviews. For example, the information may be contained in your CV, application letter, your identification documents or it may be gathered from interviews or assessments that you take during the interview process.
  - b) **From your references or background checks providers.** We contact your employment references to obtain personal information relating to your employment. We may also obtain such information from background check providers whom we shortlist sometimes.
  - c) **From recruitment portals based in Germany**– we may sometimes obtain your contact details from these platforms. Where we do so, we adhere to the platform’s terms and your privacy settings. We will only contact you if your settings and the terms of use permit us to do so.
  - d) **Indirectly from you when you access our School premises and the School’s website**

## 8. WHY WE COLLECT, USE AND STORE YOUR PERSONAL DATA

- a) to set up interviews and determine the types of assessments to be administered
- b) to assess your suitability for the role applied
- c) to communicate to you about the progress of your application
- d) to contact third party references provided by you to evaluate your previous performance
- e) to conduct background checks to the extent permitted by law
- f) to maintain records in relation to the recruitment process according to our data retention policy



- g) to develop and improve our recruitment processes, website, and other related services.
- h) If you are hired, for populating your employee file and various systems and tools used in connection with your employment at the School
- i) to comply with any legal obligations imposed on us
- j) to secure our school premises, staff and children (this relates to CCTV footage and records collected at our security gates)

## 9. OUR LAWFUL BASES FOR PROCESSING YOUR DATA

9.1. We process your personal data on the following legal grounds: -

- a) **Where necessary to establish and perform the employment contract** - We assess your capabilities and job qualifications to decide about your recruitment or appointment.
- b) **Where necessary for the school's legitimate interests** as listed below, where those interests are not overridden by your rights, freedoms, and legitimate interests: -
  - i) sourcing talent and administering the recruitment process
  - ii) managing the selection process and making an appropriate employment offer
  - iii) carrying out background checks to verify the details you have supplied during the recruitment process.
  - iv) To respond to queries that you may raise during your interview
  - v) To secure our staff, pupils and the school premises
- c) **Where required by applicable laws:** For example, Immigration documentation for foreign applicants.
- d) **Where necessary for reasons of substantial public interest** as may be determined by law.

## 10. INTERNATIONAL TRANSFERS

10.1. To carry out the purposes outlined in clause 8 of this Privacy Notice, your data may be transferred to:

- a) our cloud-based system service providers
- b) other third parties as stated in clause of this Privacy Notice who may utilize servers located outside Kenya.



- 10.2. 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
- 10.3. To ensure that your personal data receives adequate levels of protection, we shall put in place appropriate procedures with our third-party service providers whom we share your personal data with to ensure that your personal information is treated by those third parties in a way that is consistent with, and which respects the data protection laws.

## 11. HOW YOUR PERSONAL INFORMATION IS SHARED

- 11.1. We take care to allow your Personal Data to be accessed only by those who truly must access it to perform a service for you.
- 11.2. We may share your Personal Data in the following ways:
  - a. **With third party service providers** : We may also make certain Personal Data available to third parties who provide services to us such as recruitment agencies. When we share with these third parties, we do so on a need-to-know basis and under clear contractual terms and instructions for the processing of the Personal Data.
  - b. **With other third parties**: We may also share your information with other types of third parties, such as the institutions listed on your CV to conduct background checks.
- 11.3. Whenever we authorize 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 in confidence and in a way that is consistent with this Privacy Notice.





## 12. HOW WE PROTECT YOUR PERSONAL DATA

12.1. We have taken appropriate technical, administrative, physical, and procedural security measures, consistent with local and international information practices and regulations, to protect the personal data from misuse, unauthorised access or disclosure, loss, alteration, or destruction. These measures include:

- a) Physical safeguards, such as locked doors and file cabinets, controlled access to our facilities, and secure destruction of media containing personal data.
- b) 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.
- c) 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 we treat personal data.

12.2. 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 [dpo@deutscheschulena.com](mailto:dpo@deutscheschulena.com)

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

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

- a) **right to information:** you have a right to be informed of how the School will use your personal data.
- b) **right of access:** you are entitled to access your personal data that is in our possession or custody.



- c) **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.
- d) **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
- e) **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.
- f) **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.
- g) **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. The School may from time to time make decisions based on the automated processing of your personal data. In such instances, you will be informed, in writing, whenever a decision based on automated processing is taken. In addition, you can 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.
- h) **right of restriction:** You have the right to request us to restrict the processing of personal data where: -
  - a) you contest the accuracy of the personal data
  - b) the personal data is no longer required for the purpose of the processing
  - c) the processing is unlawful of which you have opposed the erasure of the personal data and requested for restriction of its use instead.
  - d) you have objected to the processing of personal data, pending verification as to whether our legitimate interests override your interests over the data.



- i) **right to raise a complaint:** You can raise a complaint about how we process your information with the Regulator i.e., the Data Commissioner in Kenya. You may also seek a remedy through the courts if you believe that your rights have been breached.

## 14. HOW TO EXERCISE YOUR RIGHTS

- a) If you wish to exercise any of the rights outlined above, please write an email to the Data Protection Officer (DPO) on [dpo@deutscheschulena.com](mailto:dpo@deutscheschulena.com)
- b) We will endeavour to answer all questions via email within the timelines stipulated in law.
- c) If the provision of the data involves the data of third parties, these third parties can be asked in advance whether they have objections to the provisions.
- d) We may ask for identification, because we need to know for certain whether we are issuing the data to the right person.
- e) In some cases, we will not be able to comply with your request. If this happens, you will be duly notified.

## 15. YOUR RESPONSIBILITIES

- 15.1. **Providing accurate information:** It is your responsibility to provide all the required personal information that is accurate and up to date during the job application process.
- 15.2. **Security measures:** Job applicants should take precautions to safeguard their own information from unauthorized access. This includes;
  - i) using secure internet connections when submitting online applications
  - ii) keeping login credentials confidential
  - iii) and being cautious when sharing personal information through email or other communication channels.
- 15.3. **Reference information confidentiality:** As a job applicant, it is your responsibility to respect the confidentiality of information related to your references by seeking their consent and informing them that their 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.



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## 16. 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 [dpo@deutscheschulena.com](mailto:dpo@deutscheschulena.com) You can also write a letter addressed to:

**The DPO,**

**German School  
P.O. Box 978 - 00621  
Nairobi, Kenya**