

## **JOB APPLICANT PRIVACY NOTICE**

As part of any recruitment process, Headway Bristol collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The wording in this document reflects the requirements of the General Data Protection Regulation (GDPR), which will come into effect in the UK on 25 May 2018.

### **What information does the organisation collect?**

The organisation collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- details of your qualifications, skills, experience and employment history, including start and end dates with previous employers;
- information about your marital status, next of kin, dependents and emergency contacts;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your nationality and entitlement to work in the UK;
- information about any criminal record and DBS check application;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

Headway Bristol collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

Headway Bristol will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law ie., the DBS via the NBT HR Department.

The organisation will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

### **Why does the organisation process personal data?**

Headway Bristol needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the organisation needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The organisation has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The organisation may also need to process data from job applicants to respond to and defend against legal claims.

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The organisation processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the organisation processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

As a charity delivering a service to vulnerable adults and as part of our obligations in meeting the Charity Commission guidelines, the organisation is obliged to seek information about criminal convictions and offences. Any offer of employment is subject to satisfactory references and DBS checks.

The organisation will not use your data for any purpose other than the recruitment exercise for which you have applied. Where your application is unsuccessful, the organisation will keep your personal data on file for six months in the event of any future employment opportunities arising for which you may be suited. The organisation will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

### **Who has access to data?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the senior management team, line managers and seniors who are involved in the recruitment process.

The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service (DBS) to obtain necessary criminal records checks.

The organisation will not transfer your data outside the European Economic Area.

### **How does the organisation protect data?**

Headway Bristol takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. Full details can be found within the Charity's Data Protection Policy and Data Protection Procedures and a copy of these documents can be made available upon request.

### **For how long does the organisation keep data?**

If your application for employment is unsuccessful, the organisation will hold your data on file for six months after the end of the relevant recruitment process. At the end of that period or once you withdraw your consent, your data will be deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

## Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing; and
- ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

If you would like to exercise any of these rights, or wish to make a subject access request please contact the Data Controller as below, in writing:

**Data Controller: Deborah Saw, Business Manager, Headway Bristol, Frenchay Beckspool Building, Frenchay, Bristol, BS16 1LE.**

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

## What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.