



# Job Applicant Privacy Notice

## CONTENTS

Introduction	page 2
Who we are	page 2
How we collect information about you	page 2
Information we collect and why we use it	page 3
Who has access to your data	page 3
How do we protect your data?	page 4
How long do we keep your data?	page 4
Your rights	page 4
What if you do not provide personal data?	page 4
Automated processing	page 4

Reviewed:	May 2018
Reviewer:	AFR
Approved:	May 2018

## INTRODUCTION

We want everyone who supports us, or who comes to us for support, to feel confident and comfortable with how any personal information you share with us will be looked after or used. This policy sets out how we collect, use and store your personal information (this means any information that identifies or could identify you).

This policy may change so please remember to check back from time to time. This was last updated in April 2018. When we make any changes to this Privacy Policy, we will make this clear on our website or contact you.

## WHO WE ARE

Here at Unlocking Potential, we are committed to protecting your personal information and making every effort to ensure that your personal information is processed in a fair, open and transparent manner.

We are a "data controller" for the purposes of the EU General Data Protection Regulation 2016/679 ("Data Protection Law"). This means that we are responsible for, and control the processing of, your personal information.

For further information about our privacy practices, please contact our Data Protection Officer at:

- Larcom house, 9 Larcom Street, London SE17 1RX
- 0203 188 4022
- [dpo@up.org.uk](mailto:dpo@up.org.uk)

## HOW WE COLLECT INFORMATION ABOUT YOU

The charity collects and process 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 employments;
- Information about your current level of remuneration, including entitlement to benefits;
- Details of your national insurance number;
- Information about your entitlement work in the UK;
- Information about your criminal record
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you;
- Information about whether or not you have a disability for which the charity needs to make reasonable adjustments during the recruitment process;

The charity collects this information in a variety of ways. For example, data is collected via CVs, resume, application statements and application questionnaires; obtained from your passport or other identity documents such as driving licence, from forms completed by you during the recruitment process and/or through interviews, meetings or other assessments.

The charity also collects personal data about you from third parties such as reference supplied by former employers, information from employment background check providers and information criminal records checks, where permitted by law. The charity will seek information from third parties only once a job offer has been made and will inform you that it is doing so.

Data is stored in a range of systems and processes, including on your application record in the HR management system and on other IT systems within the charity including email.

## **INFORMATION WE COLLECT AND WHY WE USE IT**

The charity 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, if an offer of employment is made.

In some cases, the charity 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. Due to the nature of the charity's programmes, it is necessary for the charity to process data to carry out criminal record checks to ensure that individuals are permitted to undertake the role prior to starting employment.

The charity 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 charity to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide on whom to offer a job. The charity may also need to process data from job applicants to respond to and defend against legal claims.

Where the charity relies on legitimate interests as a reason for processing data, it has considered whether these interests are overridden by the rights and freedoms of job applicants and has concluded they are not.

The charity 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.

Due to the nature of the work undertaken by the charity's programmes, the charity is obliged to seek information about criminal convictions and offences. Where the charity seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful the charity will keep your personal data on file in case there are future employment opportunities for which you may be suited. The charity 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 YOUR DATA?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviews in the recruitment process, recruiting managers and administrators.

The charity will not share your data with third parties unless your application for employment is successful and the charity makes you an offer of employment. The charity will then share your data with former employers, or personal referees to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal record checks.

The charity will not transfer your data outside of the European Economic Area, the only exception being where referees are based outside of the European Economic Area and consent is given by the candidate.

## HOW DO WE PROTECT YOUR DATA?

The charity takes the security of your data extremely seriously. It has internal policies, eg Data Protection Policy 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.

## HOW LONG DO WE KEEP YOUR DATA?

If your application is unsuccessful the charity will hold your data on file for six months after the end of the relevant recruitment process. If you agree to allow the charity to keep your personal data on file, the charity will hold your data on file for a further six months for consideration for future employment opportunities. At the end of that period, or once you have withdrawn your consent, your data is deleted or destroyed.

If your application is successful, personal data gathered during the recruitment process will be transferred to your HR file and retained during your employment in accordance with the Employee Privacy Notice. Retention timescales of personal data is confirmed in the Data Protection Policy and the Data Register.

## 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 charity to change incorrect or incomplete data;
- Require the charity 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 charity is relying on its legitimate interests as the legal ground for processing; and
- Ask the charity to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the charity's legitimate grounds for processing data.

If you would like to exercise any of these rights or make a subject access request, please contact the Data Protection Officer at [dpo@up.org.uk](mailto:dpo@up.org.uk)

If you believe that the charity has not complied with your data protection rights you can complain to the Information Commissioner at <https://ico.org.uk/global/contact-us/>

## WHAT IF YOU DO NOT PROVIDE PERSONAL DATA?

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

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

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not provide such information.

## AUTOMATED DECISION MAKING

Recruitment processes are not based on automated decision making.

To find out more about this policy and how we look after your personal information, contact our Data Protection Officer at [dpo@up.org.uk](mailto:dpo@up.org.uk) or on 0203 188 4022.