



APPLICANTS PRIVACY NOTICE FOR DATA PROTECTION PURPOSES

Data controller: Address: Perthyn, Vivian Court, Llys Felin Newydd, Phoenix Way, Swansea, SA7 9FG
Email: DataProtection@perthyn.org.uk
Telephone: 01792 311980

This privacy notice applies to all job applicants for Perthyn and it describes how we collect and use personal data about you in accordance with the General Data Protection Regulation (GDPR).

As part of any recruitment process, Perthyn 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.

What is the Purpose of this document?

Under the GDPR, Perthyn is required to be transparent and this privacy notice informs you what personal data we may hold and why.

Data Protection law requires Perthyn to comply with certain principles when processing data about individuals. The **Data Protection Principles** requires Perthyn to ensure that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

What is Personal data?

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

What information does the organisation collect? - The organisation collects, stores and uses a range of the following information about you. This includes:

- Your name, address and contact details, including email address and telephone number
- Names and contact details of two referees including your current and most recent employer
- Information about whether you are related to any employees or committee members of Perthyn
- Full employment history since leaving education and details of any periods of non-employment (including previous organisations that you have worked for name, address and type of business, dates employed, positions held and summary of duties, salary and reason(s) for leaving.
- Information about the examinations and qualifications you have attained and where you attained them as well as any training you have received
- Information about your skills and experience
- Information relating to transport including whether you have your own car, if you have a driving licence and details of any endorsements
- Your notice period if applicable and shifts you are available to work
- Whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process
- Information about any spent or unspent criminal convictions and offences (required should the post for which you are applying is exempt from the Rehabilitation of offenders Act 1974)
- Information about your entitlement to work in the UK; and
- Equal Opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.



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

The organisation will seek information from third parties, such as references supplied by former employers, information from criminal records check and a medical check – this will happen only if you are successful for the position you have applied for and a provisional job offer has been made to you. You will be informed we are seeking information from third parties.

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?

The organisation 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.

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.

The organisation is obliged to seek information about criminal convictions and offences. Where the organisation 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.

The organisation will not use your data for any purpose other than the recruitment exercise for which you have applied.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, where this is required or permitted by law.

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the organisation with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

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 and other pre-employment background check providers including the Disclosure and Barring Service to obtain necessary criminal records checks and an Occupational Health provider for a medical check.

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

How does the organisation protect data?

The organisation 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. Details of the internal policies and controls are available on 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 12 months after the end of the relevant recruitment process. At the end of that 12-month period your data is 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.

How we use particularly sensitive personal information

Special categories of particularly sensitive information require higher levels of protection. The organisation must have further justification for collecting storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Our obligations as an employer

We will use your particularly sensitive personal information in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your age, race, colour, national or ethnic origin, religious, philosophical or moral beliefs, or your gender or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.
- We will use Trade Union membership information to pay Trade Union subscriptions and to comply with employment law obligations.

Do we need your consent?

We do not need your consent if we use special categories of your personal information to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may

approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Your rights

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

- access and obtain a copy of your data on request (commonly known as 'data subject access 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, please email DataProtection@perthyn.org.uk or telephone Head Office on 01792 311980.

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.

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 to provide such information.

Automated Decision-Making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.