

## **Job Applicant Privacy Notice**

### **Data controller: Suffolk Community Foundation**

As part of any recruitment process, the organisation 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 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;
- details of your qualifications, skills, experience and employment history;
- 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; and

The organisation may collect 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, including online tests.

The organisation may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. 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 the organisation's email system).

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

The lawful basis we rely on for processing your personal data is article 6(1)(b) of the UK GDPR, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract.

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 legal requirement to process 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.

If you provide us with any information about reasonable adjustments, you require under the Equality Act 2010 the lawful basis we rely on for processing this information is article 6(1)(c) to comply with our legal obligations under the Act.

The lawful basis we rely on to process any information you provide as part of your application which is special category data, such as health, religious or ethnicity information is article 9(2)(b) of the UK GDPR, which relates to our obligations in employment and the safeguarding of your fundamental rights and Schedule 1 part 1(1) of the DPA2018 which again relates to processing for employment purposes and for equal opportunities monitoring purposes.

If your application is unsuccessful, the organisation may keep your personal data on file in case there are future employment opportunities 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. Your application will be held no longer than one year. At the end of that period your data is deleted or destroyed.

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

Your information may be shared internally for the purposes of the recruitment exercise. This includes managers within the business, interviewers involved in the recruitment process, managers in the business area 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, for example, former employers to obtain references for you.

### **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.

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

If your application for employment is unsuccessful, we will hold your data on file for one year after the end of the relevant recruitment process. At the end of that period your data is deleted or destroyed.

If we wish to and you agree to allow us to keep your personal data on file, we will hold your data on file for one year for consideration for future employment opportunities. At the end of that period (or once you withdraw your consent), your data will no longer be retained for that purpose and 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; and

- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.
- Request the transfer of your data

If you would like to exercise any of these rights, please contact [\[insert details\]](#)

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.

### **Automated decision-making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. The organisation will only use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If the organisation makes an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

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 you have been notified.

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