

PRIVACY NOTICE – JOB APPLICANTS

Table of Contents

Data controller.....	1
Data Manager for Applicants.....	1
What is the purpose of this document?	1
Data protection principles.....	1
The kind of information we hold about you	2
How is your personal information collected?	2
How we will use information about you	3
Situations in which we will use your personal information	3
Who has access to data?	4
Transferring information outside the EU	4
What if you do not provide personal information?	4
How we use particularly sensitive personal information.....	4
Information about criminal convictions	5
Automated decision-making.....	5
Data security	5
Data retention	6
How long will you use my information for?	6
Rights of access, correction, erasure, and restriction.....	6
Your duty to inform us of changes	6
Your rights in connection with personal information	6
No fee usually required	7
What we may need from you	7
Right to withdraw consent	7
Data Manager for Job Applicants	7

PRIVACY NOTICE – JOB APPLICANTS

Data controller

1. The data controller is New Forest Citizens Advice Bureau, Newcourt House, 28 New Street, Lymington, SO41 9BQ.

Data Manager for Applicants

2. The data manager for Applicants is the Chief Executive Officer. Contact details: ceo@newforest.cabnet.org.uk.

What is the purpose of this document?

3. New Forest Citizens Advice Bureau is committed to protecting the privacy and security of your personal information.
4. This privacy notice describes how we collect and use personal information about you during and after your application for a job, and the choices you can make about the way we collect and use information about you, in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). It applies to all job applicants.
5. New Forest Citizens Advice Bureau is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.
6. This notice does not form part of any contract to provide services. We may update this notice at any time.
7. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using this information.

Data protection principles

8. We will comply with data protection law. This law says that the personal information we hold about you must be:
 - a. Used lawfully, fairly and in a transparent way.
 - b. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
 - c. Relevant to the purposes we have told you about and limited only to those purposes.
 - d. Accurate and kept up to date.
 - e. Kept only as long as necessary for the purposes we have told you about.
 - f. Kept securely.

The kind of information we hold about you

9. Personal data, or personal information, 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).
10. There are "special categories" of more sensitive personal data which require a higher level of protection.
11. We will collect, store, and use the following categories of personal information about you:
 - a. Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
 - b. Date of birth.
 - c. Gender.
 - d. Recruitment information (including copies of right to work documentation, identity records, references and other information included in a CV or cover letter or as part of the application process; insolvency and disqualifications).
 - e. Details of your qualifications, skills, experience and employment history.
 - f. Information about your entitlement to work in the UK.
 - g. Declaration of interests and those of connected persons.
12. We may also collect, store and use the following "special categories" of more sensitive personal information:
 - a. Information about your health or medical conditions, race or ethnicity, religious beliefs, sexual orientation and political opinions.
 - b. Information about criminal convictions and offences.

How is your personal information collected?

13. We collect personal information about job applicants through the application and recruitment process, or directly from candidates. We 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.
14. We may collect additional information from third parties such as references supplied by former employers, information from employment background check providers and information from criminal records checks, including Companies House, Charity Commission, professional associations and the Insolvency Service. We will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.
15. Data will be stored in a range of different places, including in your personnel file, in our HR management systems and in other IT systems (including our email system).

How we will use information about you

16. We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:
 - a. Where we need to perform undertakings that we have entered into with you.
 - b. Where we need to comply with a legal obligation.
 - c. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
17. We may also use your personal information in the following situations, which are likely to be rare:
 - a. Where we need to protect your interests (or someone else's interests).
 - b. Where it is needed in the public interest or for official purposes.

Situations in which we will use your personal information

18. We need all the categories of information in the list above (see paragraphs 11 and 12) primarily to take steps at your request prior to entering into a contract with you. We may also need to process your data to enter into a contract with you.
19. We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job.
20. The situations in which we will process your personal information are listed below.
 - a. Making a decision about your recruitment or appointment.
 - b. Checking you are legally entitled to work in the UK.
 - c. Maintaining accurate and up-to-date applicant and recruitment records and contact details.
 - d. Assessing qualifications, skills, experience or performance for a particular role or task.
 - e. Dealing with legal disputes involving you; and responding to and defending legal claims.
 - f. Complying with health and safety obligations.
 - g. Equal opportunities and diversity monitoring.
 - h. To prevent fraud.
 - i. To assess conflict of interests that may affect decision-making.
21. For some roles, we are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.
22. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Who has access to data?

23. Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the recruitment team, 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. For senior appointments, the trustees may have access to the application form and interview assessments.
24. We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We 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 to obtain necessary criminal records checks.

Transferring information outside the EU

25. For the purposes of cloud storage and retrieval, we may transfer the personal information we collect about you to the USA where the third party participates in annual self-certification with the [EU-US Privacy Shield](#) [http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=605819]. This means that the country to which we transfer your data is considered by the European Commission to provide an adequate level of protection for your personal information and lives up to the requirements of the European Court of Justice.

What if you do not provide personal information?

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

How we use particularly sensitive personal information

27. "Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing this data. We may process special categories of personal information in the following circumstances:
 - a. In limited circumstances, with your explicit written consent.
 - b. Where we need to carry out our legal obligations (such as those in relation to job applicants with disabilities). 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 participate.
 - c. Where it is needed in the public interest, such as for equal opportunities monitoring. We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. Data that we use for these purposes is anonymised or is collected with the express consent of job applicants, which can be withdrawn at any time. Job applicants are entirely free to decide whether or not to provide this data and there are no consequences of not doing so.

28. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Information about criminal convictions

29. We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where that processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
30. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to establishing or defending legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
31. We envisage that we will hold information about criminal convictions where disclosed in an application or by the Disclosure and Baring Service.
32. We will only collect information about unspent convictions under The Rehabilitation of Offenders Act 1974 if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about unspent convictions as part of the recruitment process or we may be notified of that information directly by you in the course of the recruitment exercise.
33. We will use information about unspent convictions and offences in the following ways:
- To determine eligibility as a job applicant having a fiduciary role as part of the recruitment process.
 - To determine the eligibility of a job applicant to assume the role of finance manager.
 - To determine the eligibility of a job applicant to have authority to sign cheques or authorise invoices.

Automated decision-making

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

Data security

35. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those trustees, employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions (unless required to do so by law) and they are subject to a duty of confidentiality. Details of these measures are available upon request.

36. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

37. We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements. If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process. At the end of that period, your data is deleted or destroyed, unless you consent for other purposes.
38. 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.
39. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use that information without further notice to you.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

40. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment process.

Your rights in connection with personal information

41. Under certain circumstances, by law you have the right to:
- a. **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - b. **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - c. **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- d. **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
 - e. **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
 - f. **Request the transfer** of your personal information to another party.
42. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Manager in writing.

No fee usually required

43. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in those circumstances.

What we may need from you

44. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

45. 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. To withdraw your consent, please contact the Data Manager. 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.

Data Manager for Job Applicants

46. We have appointed a Data Manager for job applicants to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Manager. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

If you have any questions about this privacy notice, please contact the Data Manager.