

Job Applicant Privacy Notice

Preservation of your privacy is important to Elmore Community Services, and we are committed to letting you know how we use your personal information and to using your data responsibly.

References to “we”, “us”, or “our” in this Privacy Policy are references to Elmore Community Services, Registered Charity No. 1090616

This notice applies to any individual applying for paid or voluntary work at Elmore Community Services.

1. Information about you

We collect information from you in a variety of ways; when you apply for a post at Elmore Community Services you will be asked to provide information as part of your application form, and through the interview process. Further information will be collected when you are successful in an application for employment and as needed during your employment with Elmore Community Services. Some information will be requested from third parties, such as employment references from other agencies.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with, your application if you choose not to.

Our use of this information

Any personal information will only be used as permitted under data protection legislation. We will process your data in order to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK
- making reasonable adjustments for disabled employees.
- Ensuring we are upholding the Equalities Act (2010).

We also collect data so that we can carry out activities that are in the legitimate interests of the Company. We have set these out below:

- making decisions about who to offer employment to
- making decisions about salary and other benefits
- making decisions about conduct or performance
- assessing training needs
- dealing with legal claims made against us
- monitoring the outcome of our recruitment processes to ensure we are not inadvertently discriminating against anyone on the basis of protected characteristics (Equalities Act 2010).

If you are unsuccessful in your application, we may seek your consent to retaining your data in case other suitable job vacancies arise in the Company for which we think you may wish to apply. This will only be done when you specifically consent to this.

Sharing your data

Your data will be shared with colleagues within the organisation where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR lead, and those who are responsible for screening your application and interviewing you.

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data in order to obtain references as part of the recruitment process and to obtain criminal records check through the DBS. If you disclose a criminal conviction we will need to complete a risk assessment which may be shared with our commissioners. If you disclose a disability or health condition we may need to discuss this with our HR consultants.

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership and
- genetic and biometric data.

We do not routinely process these types of data, and will only request them when when it is essential for us to do so. We ask you to complete an Equal Opportunities Monitoring Form at the point of application; this is optional and choosing not to complete this form will not affect your application. When we process these special categories of data, this has to be done in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations

We will use your special category data:

- for the purposes of equal opportunities monitoring
- to provide assistance with attending an interview if you stipulate this

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time.

Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data in the following ways:

- On the application form to state all convictions, cautions, reprimands and final warnings that are not protected
- To know the appropriateness of a job offer in terms of a DBS disclosure being satisfactory for the job role

We process this data because of our legal obligation to apply for DBS disclosure on the majority of the job roles we employ.

2. Security and Retention

We will take reasonable precautions to prevent the loss, misuse or alteration of your information. Applicant information is held in paper files or in a specific email account. Paper files are stored in locked cabinets, and are only accessible by the relevant managers.

Where we pass your information to third parties, they must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us. If your application is not successful and you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for a period of 6 months once the recruitment round is completed.

If you have provided consent for the organisation to keep your details on file, we will keep your data for 24 months after the end of the recruitment round. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

3. Your Rights

You have the right to access the information that we hold about you. This will usually be free of charge and we will usually provide this information within one month. Requests that are more complicated may take longer. Please contact us to request access to your information.

You have the right to have any inaccuracies in your information rectified.

You have the right to restrict the processing of data if you feel it is incorrect, if it has been unlawfully processed, if you need us to keep it so you can process a legal claim or while we are considering whether our legitimate grounds provide overriding reasons for processing.

When the legal basis for processing your information is your consent, you have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

You have the right to request erasure of your information if we are processing this under the legal bases of consent, contract or legitimate interest and there is no overriding reason for us to continue processing it.

You have the right to portability of your information if we are processing this under the legal bases of consent or contract.

You have the right to object to the manner in which we are using your data if we are processing it for our legitimate interests, and there are no overriding reasons for the processing to continue.

4. Complaints

If you are unhappy with the way that we have handled your information, please tell us and we will try to put this right. If you are still unhappy you can raise your case with the Information Commissioners Office on 0303 123 1113 or at <http://ico.org.uk/concerns/>

5. Other Information

If you would like us to correct or update any information, or if you would like information deleted from our records then please contact the Administration Manager.

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