

DATA PRIVACY NOTICE – JOB APPLICANTS

Willow Tree Housing Partnership Limited (WTHP) of Eastbridge House, Pill Road, Rooksbridge, Axbridge BS26 2TN and willowtreehousing.org.uk is a “data controller” for the purposes of data protection legislation.

A data controller determines the purposes and means of processing personal data. “Processing” means doing anything with your information, for example collecting, storing or deleting your information.

WTHP is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as a job applicant of WTHP, how we use that information, how long we keep it for and other relevant information about your data. It is important that you read through this information carefully.

The Corporate Services Manager is responsible for Data Protection within the organisation so if you have any questions about the use of your personal data, you should contact them in the first instance on 01934 750780 or email customerservices@willowtreehousing.org.uk

What information does WTHP collect?

We collect and processes a range of information about you as part of our recruitment process.

This includes:

- your name, address and contact details, including email address and telephone numbers and date of birth;
- details of your qualifications, skills, experience and employment history;
- Details of referees
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- Driving Licence
- information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments for an interview
- equal opportunities monitoring information

How do we collect data about you?

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in your application form, covering letter or notes made by the interview panel.

If we offer you a position with the organisation, further information will be collected, directly from you, when you complete forms, at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you, in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as previous employers and employment agencies when gathering references.

Data will be stored in a range of different places, including in your personnel and payroll file, in WTHP's HR directory on the IT system and WTHP's payroll system.

Why do we process your data?

We need to process data to enter into an employment contract with you and to meet the obligations under any employment contract.

We need to collect your data to ensure we are complying with **legal** requirements such as:

- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities, which are in the **legitimate** interest of the organisation. This includes:

- making decisions about who to offer employment to
- making decisions about salary
- assessing training needs
- dealing with any legal claims made against us

If you are unsuccessful in obtaining employment, your data will not be used, for any reason other than in the ways explained in relation to the specific application you have made.

Special Category data

We will use any special category data supplied, as requested on the Equality and Diversity Monitoring form for the purposes of equal opportunities monitoring only. This information will be anonymised as outlined on the application form.

Criminal offence data

You should be aware that certain roles within the organisation may require either a standard, enhanced or enhanced with barred list information DBS check to be carried out.

We will only require a DBS check to be made where the role is eligible, and the check shall be at the appropriate level only and no higher. We will assess the relevance of any cautions and convictions detailed in the DBS check to the role for which the applicant has applied.

Given the sensitive nature of the information contained in a DBS certificate, the organisation will ordinarily only retain on file information about the level of check which was requested, and the date on which the certificate was obtained.

Who can access your data?

Your information will be shared internally, with colleagues, where it is necessary for them to undertake their duties in connection with the recruitment process.

We share your data with third parties in order to obtain any pre-employment references from other employers, obtain employment background checks from third-party providers and obtain (where necessary) criminal records checks from the Disclosure and Barring Service.

Your electronic data is accessible to third party suppliers, who support the day to day running of the organisation. This includes external IT companies who may need access to WTHP's network and data in order to perform their support role.

We will not transfer your data to countries outside the European Economic Area.

Protecting your data

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

How long we keep your data for?

In line with data protection principles, we will only keep your data for as long as we necessary to fulfil the purposes we collected it for, ie recruitment to a post.

If you are successful in being offered a position with the organisation, your data will form part of your personal file which will be held for the duration of your employment and for a period of 6 years (plus current year) after the end of employment, due to potential contractual claims. We will delete/destroy data when we no longer have a purpose for processing it.

If you are not successful, we will keep your data for 6 months before it is deleted/destroyed

Your rights

As a data subject, you have a number of rights. You have the right to:

- Be informed of what we are doing with your data (i.e. this privacy notice);
- Request access and obtain a copy of your personal data from WTHP;
- Request that WTHP change incorrect or incomplete data;
- Request that WTHP delete or stop processing your personal data, for example where the data is no longer necessary for the initial purposes of processing;
- Object to the processing of your personal data where the organisation is relying on its legitimate interests (or those of a third party) as the legal ground for processing;
- 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;

- Request the transfer of your personal information to another party, also known as portability; and
- Withdraw your consent at any time, where processing is based on your consent.

Please contact the Corporate Services Manager in writing if you would like to exercise any of your rights under the GDPR.

Please be aware that whilst a fee will not normally apply where there is a request to access your personal data, we may charge a reasonable fee if your request for access is repeated and/or clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Automated decision making

WTHP does not normally undertake in automated decision making (that is decisions made about individuals without any human involvement)

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 your application.

Making a complaint

If you believe that we have not complied with your data protection rights, you can make a complaint to our Corporate Services Manager or the Information Commissioner Office (ICO), the UK supervisory authority for data protection issues. The contact details of the ICO are as follows:

Helpline: 0303 123 1113

<https://ico.org.uk/concerns>