



RESOURCES DIRECTORATE

General Data Protection Regulations (GDPR) Employment Candidate Privacy Notice

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1. What is the purpose of this document?

Redcar & Cleveland Borough Council ("the Council") is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being given/sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker, volunteer or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

2. Data protection principles

We will comply with data protection law and principles, which means that your data will 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.

3. The kind of information we hold about you

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you: -

- The information you have provided on our application form including -: name, title, address, telephone number, personal email address, date of birth, gender, employment history, education history and qualifications, National Insurance Number, requirement for work permits, driving licence details, marital and civil partnership status, nationality and immigration ID, professional body registration, Baseline Personnel Security Standard (BPSS) Criminal Record Check I.D. and references, mother's maiden name, other name at birth, language, place of birth Also, where applicable, if the applicant is a Looked After Child (LAC) or has an Education, Health and Care Plan (EHCP)
- Any information you provide to us during an interview.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

4. How is your personal information collected?

We collect personal information about candidates from the following sources:

- You, the candidate.

- Neutral Vendor recruitment agency, from which we collect the following categories of data: - name, DOB, Gender, CV, compliance data including references, qualifications, professional body registration, DBS, Nationality and Immigration I.D. for Employer's Right to Work Check, BPSS I.D and references.
- Disclosure Scotland checks
- Disclosure and Barring Service in respect of criminal convictions.
- Your named referees, from whom we collect the following categories of data: - previous employment information, sickness absence history for the previous 2 years and information regarding disciplinary proceedings.

5. How we will use information about you

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our recruitment processes.
- Comply with legal or regulatory requirements.
- Access funding from third parties i.e. Apprentices

It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether to enter into a contract with you.

Having received your application form, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references; qualifications undertake Employer's Right to Work checks, medical clearance and carry out a criminal record check, professional body registration and BPSS checks, if applicable, before confirming your appointment.

6. If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application, such as evidence of qualifications or work history, we will not be able to process your application successfully. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

7. How we use particularly sensitive personal information

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

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example, whether adjustments need to be made during an interview.
- We will use information about your race or nationality or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

8. Information about criminal convictions

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

9. Data sharing - Why might you share my personal information with third parties?

We will only share your personal information with the following third parties for the purposes of processing your application: Disclosure and Barring Service via North East Regional Employers Organisation (NEREO), North East Jobs via NEREO Disclosure Scotland, Medacs Healthcare, and reference providers. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

10. Data security

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 employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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.

11. Data retention - How long will you use my information for?

We will retain your personal information for a period of 12 months after we have communicated to you our decision about whether to appoint you to role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our records management policy.

12. Rights of access, correction, erasure, and restriction

Your rights in connection with personal information

Under certain circumstances, by law you have the right to: -

- 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.
- 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.
- 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).
- 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.
- 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.

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 protection officer ("DPO") (see below) in writing.

13. Data Protection Officer

We have appointed a data protection officer (DPO) 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 DPO, Sue Bridges, Principal Electoral and Information Governance Officer, Resources Directorate, Redcar and Cleveland Leisure and Community Heart, Ridley Street, Redcar TS10 1TD or via e-mail on sue.bridges@redcar-cleveland.gov.uk.

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.