



## Partners in Advocacy

### Job Applicant Privacy Notice

#### Introduction

The purpose of this job applicant privacy notice is to explain to you the reasons why we hold and use your personal data and explain your rights under the current data protection laws.

We are committed to being transparent about how we collect, use, retain, and meet our data protection obligations with you. As the recruiter we will collect and process personal data relating to you so that we can conduct our recruitment process, this notice explains how and why we will do this in the context of the recruitment process.

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.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide the information.

We are the data controller, which means we are responsible for deciding how we hold and use your personal information.

We will collect, use and retain your personal information in the context of the recruitment process and your rights in relation to your personal information. We may amend this notice at any time.

#### Data Controller ICO Information Commissioner's Office.

We are registered as a data controller with the Information Commissioner.

#### Where does your personal information come from?

Partners in Advocacy may collect this information in several ways which include:

- Recruitment processes including information obtained from agencies which includes:
  - Name, address, email address, telephone number;
  - Your identification documents you have given us and your proof of eligibility to work in the UK;
  - Background checks conditional for your engagement with us;
  - PVG/Disclosure/DVLA checks relating to criminal convictions/offences/qualifications.
- Current and former employers or other individuals whom you have given us permission to contact to provide a reference for you. This data will include:
  - Your work history (paid or unpaid) with them, including the dates you worked with them;
  - The work tasks you did;
  - Your level of responsibility;
  - Job title;
  - Salary on leaving;
  - Time keeping;
  - Reliability;
  - Quality and quantity of work;
  - Relationships and attitude to those you work with;



- Reason for leaving their workplace, and;
- Whether they would be happy to have you work for them again.

### **What Information do we collect?**

PiA controls and processes a range of information about you. In this privacy notice 'your personal information' means your personal data i.e. information about you from which you can be identified. Your 'personal information' does not include data where your identity has been removed (anonymous data). It is really important that the personal information we hold on you, and process, is accurate and up to date. Please keep us informed if your personal information changes.

This includes:

- Your name, address, and contact details including email address and telephone number;
- Details of your qualifications, skills, experience and work history, including start and end dates with previous employers and workplaces;
- Information about your remuneration, including entitlement to benefits such as, pay, pension and holidays;
- Information about your nationality and entitlement to work in the UK;
- Information regarding whether you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- Equal opportunities monitoring information [collected and retained anonymously].

The data we hold on you will be stored electronically and is password protected and accessed via VPN. A hard copy will also be stored in your personnel file within a locked filing cabinet. The data is stored for a period of 6 years after an employee leaves the organisation in accordance with Partners in Advocacy's Retention Policy.

### **Processing Personal Data**

We will process data in accordance with the following legal grounds:

To Enter a Contract with you:

We need to process the data we hold on you in order that we comply with our obligations with you under the contract we have with each other. This includes;

- Contact you regarding the recruitment process and any offer of work;
- Decide on any subsequent appointment;
- Obtain references if you have accepted an offer of work from us;
- Determine the terms of any potential contract between us;
- The need to process your data to enter into a contract of employment with you.

### **Legal Obligations:**

We are required:

- to obtain checks regarding your right to work in the UK;
- make a decision regarding the recruitment and any subsequent appointment;
- health information to make reasonable adjustments to attend interview and comply with employment related law.

### **Legitimate Interests:**

We are also required to process your data in accordance with our legitimate interests during and after the recruitment process:

- Run recruitment processes, and then select and offer a suitable candidate, worker a role with our organisation;
- Obtain references from whom you have given us permission to contact;
- Respond to and defend against legal claims;
- Confirm personal membership of professional organisations in relation to the role you are applying for;
- Conduct any regulatory checks and/or statutory check/requirements in relation to your engagement with us;
- To adhere to our own equal opportunity practices;
- Carry out regular equal opportunities monitoring to review our equality of opportunity practices.

### **Information regarding Criminal Convections**

To enable us to make recruitment decisions and assess suitability for particular work, we will process information about criminal convictions and offences (including alleged offences), through appropriate mechanisms such as PVG Scheme and Disclosure Scotland.

We will process this information to enter a contract with you, to comply with a legal obligation, for our legitimate interests (in selecting suitable employees, workers and contractors), and to exercise or perform employment law rights or obligations.

If you have applied for a role within Partners in Advocacy, we will request the following information at the application stage:

- confirmation as to whether you have any unspent criminal convictions regarding dishonesty if relevant for your job;
- confirmation as to whether you have any unspent driving convictions if relevant for your job.

Any offer of work from us in respect of a role within Partners in Advocacy will be subject to a satisfactory criminal record check in compliance with our Recruitment of Ex-Offenders Policy. PiA is legally required by Disclosure Scotland to carry out a PVG Scheme Record Check.

### **Access to Data and Security**

In order to process your data in accordance with the grounds stated above the following will have access to your data:

Internally:

- Those involved in the recruitment process
- The line manager in the area of the vacancy

Third parties:

We may share your personal information with the following third parties if, this is required by law, necessary to enter a contract with you, where there is another legitimate interest in doing so, or where it is necessary to protect your vital interests or those of another person.

- For the purposes of pre-employment checks; current and former employers, disclosure and PVG Scheme checks

We will not share your information outside of the EU.

### **Your Rights**

As a data subject, you have a number of rights, as follows:

- To be informed of the personal data we hold on you;
- Access and obtain a copy of all your personal data on request;
- Require PiA to change incorrect or incomplete personal data;
- Require to delete or stop processing your personal data e.g. where the data is no longer necessary for the purposes, and, object to the processing of your data where the organisation does not require to process it;
- Object to the processing of your data where the organisation is relying on its legitimate interests as the legal grounds for processing.

If you would like to exercise any of the above rights, please contact the CEO at G/1 Links House, 15 Links Place, Edinburgh EH6 7EZ.

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner.

### **Data Retention**

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including to satisfy any legal requirements.

If your application is unsuccessful the organisation will retain your application for a period of one year in accordance with our Retention Policy.

If you start work with us following the recruitment process, we will give you a copy of our Employee Privacy Notice, and will retain your personal information as detailed in the notice.

### **Acknowledgement of receipt**

I confirm that I have read and understood the contents of this job applicant privacy notice.

Signed

Date

For more information about the GDPR can be found at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>