



Your Data - Guidance for Candidates Applying to Work at Age UK East Sussex

When Age UK East Sussex recruits colleagues, personal data is collected, stored and processed accordingly to manage, administer and support, both their application and the resulting potential employment relationship. This document aims to provide further detail to candidates applying to work at Age UK East Sussex about how their data is handled, stored, processed and eventually deleted during this process. We aim to be completely transparent regarding our use of personal data in accordance with candidates' privacy rights, hopefully ensuring they feel confident to share such data with Age UK East Sussex.

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1. The legal framework

Age UK East Sussex is committed to protecting the freedom and privacy rights of all individuals who express an interest to come and work with us. Therefore, all candidate and colleague personal data is handled appropriately and in line with the requirements of the General Data Protection Regulation (GDPR) and we ensure that all individuals are aware of their rights under this regulation.

The GDPR requires all processing of data to be justified by what is called a “lawful basis”. This means that any data that any organisation wishes to process in relation to any individual, where that individual can be identified from such data, must now have a lawful basis for this processing. A lawful basis must fall into one of the following categories:

- It is necessary for the performance of a contract (such as an employment contract or a potential one)
- It is necessary for fulfilling legal obligations (such as defending a claim or investigating a crime for example)
- It is in the vital interests of either the data subject or some other person (such as holding details about blood group types in hospitals)
- It is in the public interest (this could be in the exercise of official authority)
- It is in the legitimate interests of the organisation (this can include ordinary and honest business practices)

In the event that none of the above apply, an organisation will be required to seek the express consent of the data subject to process their data.

It is important that Age UK East Sussex identify a lawful basis for the processing of all data including that that relates to our candidates. On the basis that candidates are seeking to be engaged in a contract of employment and the recruitment process is established to consider this, the processing of such information relating to all candidates is considered as **necessary for the performance of such contract**.

This guidance provides further detail about the data held, why this is held, how it is stored and our retention policies in relation to such data.

2. What data is collected by Age UK East Sussex during my application?

In order to register to be considered for employment with Age UK East Sussex, we do require some standard information as part of the registration process. This includes the following:

- Name
- Contact details including email address
- Whether candidates are over 18 as some roles have been risk assessed and we have made a decision that colleagues within these roles must be over 18 due to lone working requirements

- Details of any unspent criminal records (this is in accordance with the Rehabilitation of Offenders Act 1974 and helps us to protect both our people and our charitable resources and funds. Having a criminal record is however not a bar to employment with Age UK East Sussex)
- A CV and supporting statement which will include details relating to work history, experience, skills and qualifications (it is important that we have this information in order that we can assess suitability for the post for which a candidate wishes to be considered)
- Equality, Diversity and Inclusion information is requested of all candidates but is not a mandatory requirement (this is for monitoring purposes only and information is not shared with hiring managers)

Once this information has been collected and candidates have been selected to attend an interview or some other form of selection process, managers will then retain information relating to that process and this may include, where used:

- Interview notes
- Presentation information
- Psychometric test results
- ID documentation to provide proof of eligibility to work in the UK

Again, this information is necessary to determine each candidates' suitability for the post they have expressed an interest in and managers will retain this information until a decision is made and the recruitment process concludes.

We are unable to employ any candidate who isn't able to provide proof of their eligibility to work in the UK so we are required to process this information to fulfil our legal obligation as an employer.

3. How is this data stored?

Be assured that all data submitted by candidates is held within our secure Human Resources database. Both our HR team and relevant managers have access to the roles that are relevant to them and will see all candidate information that has been submitted as relevant to that role (with the exclusion of the personal Equality and Diversity data provided).

The Equality and Diversity data is only provided in order to allow Age UK East Sussex to monitor its recruitment activity and feed back to our Trustees and Directors about who we attract to come and work at Age UK East Sussex. It also allows us to challenge our recruitment and selection methods to ensure that we are reaching out to a diverse pool of candidates and that there is no unconscious bias creeping into our processes. This data can only be accessed by the Human Resources Team for that purpose and will not be accessible for managers at all, so it doesn't form part of any decision making both at short listing and for interview.

From time to time, CVs may be passed internally by email if required but this is via our internal systems and secure domain.

4. Who has access to this data?

Only the Human Resources team and those managers responsible for making decisions during recruitment will have access to candidate information, CVs and supporting statements. Managers may be required to print some information relating to candidates for interview, such as CVs, however they are advised to only do this for interview and decision making and to ensure these are confidentially destroyed soon after, either by shredding or by confidential waste collection. At no time can managers share information relating to candidates with anyone who isn't involved with the recruitment decision making.

Interview feedback will be sent to our Human Resources team where it will be held securely for the purposes of providing feedback where requested. Managers will not hold any data, relating to candidates following the conclusion of the recruitment process.

5. How long is my data held by Age UK East Sussex in the event that I am not successful in my application?

Regrettably, due to the volume of applications that we receive for our vacancies, if candidates have not heard from us within 3 weeks of a vacancy closing date they are to assume that their application has been unsuccessful. We will advise all candidates of the outcome of their application in the event they are unsuccessful at interview stage.

We have strict data retention policies at Age UK East Sussex. Retention refers to how long we retain data and the means by which we destroy it once it is no longer needed. We retain details of all unsuccessful candidates for a period of 6 months.

Once this 6 month period has expired, all data held within our system will be deleted confidentially and any paper copies will be destroyed via confidential waste. Managers are not required to hold any data during that 6 month period. All retained information is held securely within the Human Resources department.

6. What are my rights in relation to my data held by Age UK East Sussex?

Under the data protection legislation, we all as "data subjects" have a number of rights in relation to the data that organisations hold about us. It is important that employers and employees all have an understanding of these rights in order that we can ensure colleagues and candidates understand how they can make certain requests and that our management team understand how they can acquiesce. Those rights that are relevant here are summarised below with some further guidance:

Rectification

Candidates are entitled to ask Age UK East Sussex to deal with any issues with the accuracy of the data that we hold about them. Therefore, if any individual feels that their data held by Age UK East Sussex is incorrect in any way, please contact the Human Resources team in order to make arrangements for it to be changed. In some cases, this may require further investigation in order to understand how the error has come about and to help ensure we avoid a similar situation moving forward.

The right to be forgotten

Candidates, along with any other “data subject”, do have the “right to be forgotten” under the legal framework and this essentially means that we can make contact with organisations who hold data about us to make a request for them to confidentially destroy such data. We may find from time to time that candidates wish to exercise this right and this will be further considered on an individual basis. However, wherever possible, we will endeavour to comply with such a request.

Any requests under this right must be submitted in writing to the Human Resources team, where they can be considered further in line with any other requirements to continue to retain such data. We will endeavour to respond to such requests with full reasons in the event that we are unable to delete the information held.

Restriction of processing

Often where an individual isn't able to ask an organisation to erase their data, they may well be able to ask them to restrict the processing of such data. This means that we may be able to consider how this data is processed in line with a request, which will also take into account the ongoing requirements to hold or process that data. For example, a candidate may no longer wish to be contacted about further opportunities at Age UK East Sussex but is happy for their information to remain on our system. Again, this request must be put in writing to the Human Resources team for further consideration.

Access to your data

All “data subjects” have a legal right to access data that any organisation holds about them. This right also extends to our candidates. Requests of this nature are to be submitted to the Human Resources team at which point the request will be further considered and discussed. The Subject Access Request Form can be used in order that we can be clear on the request and what is required. Candidates can request the form from their Human Resources Department.

In addition to the form, candidates will also be required to verify their identity in order that the information and data can be shared safely with them. This condition has been applied in order that we handle this personal data in a safe and secure manner.

There is no longer any fee payable to Age UK East Sussex for such a request to be supported and processed. Age UK East Sussex will respond to such a request within 28 days of receipt of a Subject Access Request Form.

There may be some circumstances under which the organisation may need to give further consideration to such a request and this may be the case whereby the request is potentially unfounded, excessive or is repetitive. In this event, full reasons will be provided in the event that a request is declined or a fee is requested due to the circumstances.

3. How can I raise a concern?

Please be assured that Age UK East Sussex has endeavoured to engage a number of measures with the aim of preventing any such risks to our colleagues' and candidates data. Such work and associated measures are constantly reviewed - as the online environment changes and develops. Unfortunately, from time to time organisations have found themselves in breach of data protection legislation, often not through fault of their own however circumstances may arise that can involve unlawful hacking events or

penetration of systems or sometimes unfortunate acts that can have consequences for our colleagues if this relates to their data. Age UK East Sussex takes a very strict approach to such events and would always seek to take all appropriate and reasonable measures.

Should you have any queries related to the use of your information, or should you wish to lodge a complaint about the use of your information, please contact our Human Resources Department on 01273 646827 x612 or e-mail hr@ageukeastsussex.org.uk.

If you are still unhappy with the outcome of your enquiry you can write to: The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF - Telephone: 01625 545700.