



# **Privacy Notice for Job Applicants**

## Our Commitment to You

Age UK Somerset and Age UK Somerset Trading Limited (a subsidiary company) wish to demonstrate their commitment to protecting the privacy and security of your personal information. This information details how we collect and use personal data or personal information about you in advance of any employment relationship in accordance with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

When processing data we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate)

Age UK Somerset and Age UK Somerset Trading Limited are both “data controllers”. This means that we are responsible for determining the purpose and means of processing personal data relating to you.

“Personal data”, or “personal information”, means any information relating to an identified, or identifiable individual in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

There are “special categories” of sensitive personal data, meaning data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, genetic data, and biometric data which require a higher level of protection.

This statement is applicable to job applicants. It is not intended to, neither will it, form part of any contract of employment or contract of services. We reserve the right to make changes to this statement at any time, if you are affected by substantial changes we will make an alternative statement available to you.

Where you are successful in your application and are appointed to a position you will receive details of our data protection compliance statement (privacy notice) for Staff.

**Last Policy Update: January 2019**

## How Do We Collect Information From You?

Your personal information is obtained through the application and recruitment process. This may be directly from candidates, via an employment agency or a third party who undertakes background checks. We may occasionally request further information from third parties including, but not limited to, previous employers, credit reference agencies or other background check agencies. Also, any further personal information that may be collected in the course of job-related activities throughout the period of you working for us in the event you become an employee.

## What Information is Collected About You?

The list below identifies the kind of data that we will/may process about you during the application process:

- personal contact details such as name, title, addresses, telephone numbers and personal email addresses
- date of birth
- gender
- marital status
- information provided as part of your Application including references, education history and employment history
- information relating to your ability to travel to meet the requirements of the job (e.g. driving and vehicle details)
- Information relating to your right to work in the UK

The following list identifies the kind of data that we will/may process and which falls within the scope of “**special categories**” of more sensitive personal information:

- information relating to your race or ethnicity; your health, including any medical conditions and disabilities; criminal convictions and offences

## How We Use Your Information

The type of circumstances in which we will/may process your personal information are:

- making decisions about your recruitment or appointment
- making decisions about terms and conditions, salary and other benefits
- checking you are legally entitled to work in the UK
- assessing qualifications for a particular job or task
- education, training and development requirements
- complying with health and safety obligations
- preventing fraud
- in order to fulfill equal opportunity monitoring or reporting obligations
- dealing with legal claims made against us

There may be more than one reason to validate the reason for processing your personal information.

Examples of some of the circumstances in which we will process special categories of your particularly sensitive personal information are listed below:

- in order to protect your health and safety in the workplace
- to assess your physical or emotional fitness to work
- to determine if reasonable adjustments are needed or are in place
- in order to fulfill equal opportunity monitoring (with your explicit consent, which you are free to withdraw at any time).

Where appropriate, we may seek your written authorisation to process special categories of data. Upon such an occasion we will endeavor to provide full and clear reasons at that time in order for you to make an informed decision. In any situation where consent is sought, please be advised that you are under no contractual obligation to comply with a request. Should you decline to consent you will not suffer a detriment.

## **Lawful Processing**

We consider that the basis for which we will process your data is to enable us to consider whether we may wish to/prepare for entering into a contract or agreement with you and to enable us to comply with our legal obligations. Occasionally, we may process personal information about you to pursue legitimate interests of our own or those of third parties, provided there is no good reason to protect your interests and your fundamental rights do not override those interests.

Occasionally, special categories of data may be processed where you are not capable of giving your consent, where you have already made the information public or in the course of legitimate business activities or legal obligations and in line with the appropriate safeguards.

## **Information about Criminal Convictions**

We will only collect criminal convictions 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 engagement should you be successful.

We may process such information to protect yours, or someone else's interests and you are not able to give your consent or we may process such information in cases where you have already made the information public. Where we process information regarding criminal convictions we will adhere to the guidelines currently in force regarding data security and data retention as determined by the appropriate governing body.

We anticipate that we will process information about criminal convictions for those roles that have been determined as requiring an enhanced criminal record check.

## **Automated Decision Making**

We do not anticipate that any of our decisions will occur without human involvement. Should we use any form of automated decision making we will advise you of any change in writing.

## Who has Access to Your Information?

Your data will be shared with individuals within Age UK Somerset and its subsidiary company where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example: HR; the Administration department who assist in collating your application, co-ordinating the selection process and responding to your enquiries; and, those in the department where the vacancy is who are responsible for screening your application and interviewing you.

It may be necessary for us to share your personal data with a third party or third party service provider (including, but not limited to, contractors, agents or other associated/group companies) within, or outside of, the European Union (EU). Data sharing may arise due to a legal obligation, as part of the performance of a contract or in situations where there is another legitimate interest (including a legitimate interest of a third party) to do so.

The list below identifies which activities are carried out by third parties on our behalf:

- pension providers/administrators
- I.T. and communications services
- legal advisors
- managing security access to facilities and buildings
- insurance providers
- criminal records checks
- payroll (as a contingency measure only)

Data may be shared with third parties in the following circumstances:

- in relation to the maintenance support and/or hosting of data
- to adhere with a legal obligation
- in the process of obtaining advice and help in order to adhere with legal obligations
- to obtain pre-employment references

If data is shared, we expect third parties to adhere and comply with the GDPR and protect any data of yours that they process. We do not permit any third parties to process personal data for their own reasons. Where they process your data it is for a specific purpose according to our instructions.

## **Keeping Your Information Safe**

When you give us personal information, we take steps to ensure that it's treated securely. We have implemented appropriate technical and organisational measures to protect the personal information we have under our control, both on and off-line, from improper access/use, alteration, damage, destruction and accidental loss.

In cases of a breach, or suspected breach, of data security you will be informed, as will any appropriate regulator, in accordance with our legal obligations.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

## **Data Retention**

We anticipate that we will retain your data as part of the recruitment process no longer than is necessary for the purpose for which it was collected.

If your application is not successful and we have not sought consent or 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 12 months once the recruitment exercise ends.

At the end of the retention period, upon conclusion of any contract or agreement we may have with you, or until we are no longer legally required to retain it, it will be reviewed and deleted, unless there is some special reason for keeping it. Occasionally, we may continue to use data without further notice to you. This will only be the case

where any such data is anonymised and you cannot be identified as being associated with that data.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate data protection compliance statement (privacy notice) for employees, workers and contractors which will be provided to you when applicable.

How long we keep information is set out on our Retention Schedule, which is reviewed on a regular basis.

## **Your Rights In Relation To Your Data**

We commit to ensure that any data we process is correct and up to date. It is your obligation to make us aware of any changes to your personal information.

Where we are processing data based on your consent, you have the 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 a right to see the information that we keep about you. This is called a subject access request.

For further information, including on your rights and how to exercise these, please see our Privacy Policy online:

<https://www.ageuk.org.uk/somerset/privacy-policy>

## **Consequences of Your Failure to Provide Personal Information**

If you neglect to provide certain information when requested, it may affect our ability to enter into an employment contract with you, and it may prevent us from complying with our legal obligations.

## **Questions or Complaints**

Should you have any questions regarding this statement, please contact the Chief Executive on 01823 345610.

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

