

Job Applicant Privacy Notice – Human Resources Service

Data Controller: London Borough of Bexley – HR Service

Data Protection Officer: Nick Hollier, contact details: data.protection@bexley.gov.uk

The HR Workforce Resourcing Team collect and process personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

The information we collect

We will collect and process a range of information about you. Depending upon whether you will be a direct employee or worker (including agency workers and consultants) this may include:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including entitlements to benefits such as pensions or insurance cover;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

We collect this information in a variety of ways. For example, data is collected through application forms or CVs ; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of your employment (such as pension benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

We will also collect personal data about you from third parties, such as references supplied by former employers and in some cases information from Disclosure and Barring checks permitted by law.

Data is stored in a range of different places, including in your HR file, (details are held electronically on the Council's DocStor system known as Estor), in the HR management systems (TOPS) and in other IT systems (including the Council's email system).

Where unsolicited speculative CV's are received for a role which is not currently being advertised/recruited to, in particular for hard-to-fill roles, we may share this with relevant managers and may hold it on file in line with the Council's retention schedules.

Processing personal data

We process data in order to make decisions on recruitment and appointments. For candidates that are appointed to the Council please also refer to our Privacy Statement covering employees.

We need to process data to ensure that we are complying with our legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK before employment starts. For certain positions, it is necessary to carry out Disclosure and Barring checks to ensure that individuals are permitted to undertake the role in question.

We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

We also process health information to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

Where we process other special categories of data, ie any information related to a protected characteristic such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is for equal opportunities monitoring purposes.

For some roles, we are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary to carry out our obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, we will keep your personal data on file for a period of one year in accordance with the Council's published retention schedules.

Access to data

Relevant information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and Workforce Resourcing Teams, interviewers involved in the recruitment process, managers in the service area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

Information shared is limited. In respect of data relating to any protected characteristics this is restricted to the HR Service. Where an applicant has a disability that requires adjustments to the recruitment processes, relevant information will be provided to the recruiting managers to comply with this legal obligation. Detailed and medical information and records are restricted to the Occupational Health Service. Occupational Health will however provide reports to HR regarding fitness for employment and any measures required to support prospective employees who are affected by health conditions for when they commence their employment with us.

We will not share your data with third parties other than sharing relevant and necessary data with former employers to obtain references for you, employment background check providers to obtain necessary background checks, the Disclosure and Barring Service to obtain necessary criminal records checks and any other relevant professional bodies as necessary to undertake pre-employment checks or to fulfil any other statutory requirements.

The Council is under a duty to protect the public funds it administers and to this end must use the information you provide within its authority for the prevention and detection of crime and fraud. It may also share this information with other bodies administering public funds solely for this purpose.

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

Protecting your data

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

Where we engage third-party recruiters to process personal data on our behalf (for example a recruitment agency), those third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

Retaining Data

If your application for employment is unsuccessful, the organisation will hold your data on file for one year after the end of the relevant recruitment process.

When registering for vacancy alerts, by indicating that you wish to be notified of any future vacancy if you are unsuccessful, you are providing consent to your data being retained for these purposes.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your HR file and retained during your employment for the performance of your employment contract and thereafter the Council's Privacy Notice relating to employees will also apply.

The periods for which your data is also held during and after the end of employment are set out in the Council's Retention Schedule.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require us organisation to change incorrect or incomplete data;
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where we are relying on its legitimate interests as the legal ground for processing; and
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact hadmin@bexley.gov.uk You can make a subject access request by completing the form which can be found at the following link: <https://www.bexley.gov.uk/services/complaints-and-information-requests/information-requests>

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

Providing personal data

You are under no statutory or contractual obligation to provide data to us during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.

Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Council to enter a contract of employment with you. The failure to provide details of a right to work in the UK will mean that we cannot employ you. If you do not provide other information, this will hinder our ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

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 such information.

Automated decision-making

Recruitment processes are not based solely on automated decision-making.