

## Job Applicant Privacy Statement

Eldon Housing Association is registered with the Information Commissioner's Office as a Data Controller under the General Data Protection Regulations 2018. As part of any recruitment process, the Association collects and processes personal data relating to job applicants and is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This Job Applicant Privacy Statement applies to all job applicants and explains what personal information we collect and hold on you as a job applicant.

### What personal information do we collect from you

The Association collects a range of information about you. This includes:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Details of your qualifications, education, skills, experience, professional membership and employment history.
- Details of any interests outside of work, in particular any voluntary work.
- Information about your current and past level of remuneration.
- Driving licence.
- Whether or not you have a disability for which the Association needs to make reasonable adjustments during the recruitment process.
- Recruitment information including copies of right to work documentation, passport, references and other information included in a CV or cover letter or as part of the application process.
- Equal opportunities monitoring information.

The Association may also collect personal data about you from third parties including:

- References supplied by former employers.
- Information from employment background check providers and criminal record checks.
- Information about any criminal records.
- Employment records (including job titles, work history, working hours, training records and professional memberships).

The Association will only seek information from third parties once a job offer to you has been made and will inform you that it is doing so.

We may also collect, store and use "special categories" of more sensitive personal data which require a higher level of protection including:

- Information about your physical and mental health, including any medical conditions, health and sickness records (including Occupational Health records), including whether or not you have a disability.
- Absence notes.
- Information used for equal opportunities monitoring about your race or ethnicity, religious beliefs and sexual orientation.
- Trade union membership.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

## How do we collect this information?

We collect data about you in a variety of ways through the application and recruitment process where we will collect the data from you directly or sometimes from an employment agency. This includes information you would normally include in a CV or application form or notes made by our recruiting officers during the recruitment interview. Other details may be collected directly in the form of official documents such as your passport or other right to work evidence.

We may sometimes collect additional information from third parties including former employers or other background check agencies such as the Disclosure and Barring Services checks including barred lists for relevant positions. The Association will seek information from third parties only once a job offer has been made and will inform you that it is doing so.

## Why do we collect this information?

The law on data protection allows us as your employer to collect and process your data for certain reasons only, these are:

- In order to perform the employment contract that we are party to.
- In order to carry out our legally required duties.
- In order for us to carry out our legitimate interests.
- To protect your interests and where something is done in the public interests.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.

For example, we need to collect your personal data to ensure we are complying with legal requirements such as:

- Carrying out checks in relation to your right to work in the UK and
- Making reasonable adjustments for disabled employees

We also collect data so that we can carry out activities which are in the legitimate interests of the Association. We have set these out below:

- Making decisions about who to offer the employment to.
- Making decisions about salary and other benefits.
- Assessing training needs.
- Dealing with legal claims made against us.

If you are unsuccessful in obtaining employment, your data will not be used for any reason other than in the ways explained in relation to the specific application you have made. However we may seek your consent to retain your data in case other suitable job vacancies arise in the Association for which we think you may wish to apply. You are free to withhold your consent to this and there will be no consequence for withholding consent.

## How will we process sensitive personal information?

Where the Association processes 'special categories' of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equal opportunities monitoring with the explicit consent of job applicants, which can be withdrawn at any time.

For some roles, the Association is obliged to seek information about criminal convictions and offences. Where the Association seeks this information it does so because it is necessary for to carry out its obligation and exercise specific rights in relation to employment and comply with a regulatory requirement to establish whether or not an individual has committed an unlawful act or been involved in dishonesty or other improper conduct.

## What if you don't provide us with this information?

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to continue with your application.

## How we share your personal data

Your data will be shared internally with colleagues within the Association for the purposes of the recruitment exercise, where it is necessary for them to undertake their duties. This includes for example the HR Team, those responsible for screening applications and interviewing and managers in the business area with a vacancy.

The Association will not share your data with third parties, unless your application is successful and it makes you an offer of employment. The Association will then share your data with former employers to obtain references, professional bodies to check memberships/qualifications, occupational health in the case of a disability and employment background checks including the Disclosure and Barring Service to obtain necessary criminal record checks.

We do this where required by law; where it is necessary to administer the working relationship with you; or where we have another legitimate interest in doing so.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We do not share your data with bodies out of the European Economic Area.

## How do we protect your data?

The Association takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and it is not accessed except by our employees in the proper performance of their duties.

## How long do we keep your data?

We only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.

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 no longer than is necessary after the recruitment exercise ends.

## Automated decision making

No decision will be made about you solely on the basis of automated decision making which has significant impact on you.

## Your rights

The law on data protection gives you certain rights in relation to the data we hold on you, these are:

**Right to be informed** – this means that we must tell you how we use your data (this is the purpose of the Employee Privacy Statement)

**Right of access** – you have the right to access the data we hold on you.

To do so you should make a Subject Access Request. This request must be made in writing and the Association has one calendar month to provide you with this information.

**Right for any inaccuracies to be corrected** - if any data we hold about you is incomplete or inaccurate you are able to require us to correct it.

**Right to have information deleted** – you have the right to request us to delete or stop processing personal information where you believe there is no reason for us to continue to process/hold this information, you are withdrawing consent or where you object to us processing information. The Association can refuse to remove information where we have an overriding legitimate interest for continuing to process your personal information.

**Right to portability** - you may request for the personal information that we hold on you to be transferred for your own purposes.

**Right to restrict the processing of your data** – you can ask us to suspend the processing of your personal information, for example if you want us to establish its accuracy or the reason for processing it.

**Right to withdraw consent** – In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

If you wish to exercise any of the rights explained above please contact a member of the HR Team.

## If you have a question or complaint

If you have any questions about this Job Applicant Privacy Statement or how we handle your personal information, please contact a member of the HR Team.

If you are not satisfied by our response you also 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 (Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)).