



THE
DONALDSON
TRUST

Together we'll
find your *voice*.

Job Applicant Privacy Notice

Version: 1
Date: September 2018
Author: HR Manager

Contents

Document control	3
Author	3
Version	3
Background	4
What information does the Trust collect and how does it collect it?	4
How does the Trust collect personal data?	4
Where is personal data stored?	4
Why does the Trust process personal data?	5
Who has access to data?	5
How does the Trust protect data?	6
Data Breaches	6
For how long does the Trust keep data?	6
Your Rights	6
What if you do not provide personal data?	6
Automated Decision-making	7
Contact us	7
Document approval	8

Document control

Author

Job title	Role	Date
HR Manager	Author	September 2018
The Trust's appointed lawyer	Reviewer	
Board	Approver	

Version

Version	Date	Author	Amend
1	September 2018	HR Manger	New Version

Background

As part of any recruitment process, the Trust collects and processes personal data relating to job applicants. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

Any questions about the Trust's data protection obligations should be direct to [\[name\]](#).

What information does the Trust collect and how does it collect it?

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

- 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 benefit entitlements; and
- Information about your entitlement to work in the UK.

There are also "special categories" of more sensitive personal data which the Trust may collect and process about you: This includes

- information about medical or health conditions, including whether or not you have a disability for which the Trust needs to make reasonable adjustments;
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief; and
- information about criminal convictions and offences.

How does the Trust collect personal data?

The Trust may collect this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

The Trust may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. The Trust will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Where is personal data stored?

Data will be stored on your application record, in HR management systems and on other IT systems (including email)

Why does the Trust process personal data?

The Trust needs to process data to take steps at your request prior to entering into a contract with you. It may also then need to process your data to enter into a contract with you.

In some cases, the Trust needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The Trust has 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 Trust to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Trust may also need to process data from job applicants to respond to and defend against legal claims.

The Trust may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. The Trust processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, the Trust is obliged to seek information about criminal convictions and offences. Where the Trust seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

The Trust will not use your data for any purpose other than the recruitment exercise for which you have applied.

Who has access to data?

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff, if access to the data is necessary for the performance of their roles.

The Trust will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Trust may then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks, the Disclosure and Barring Service and Disclosure Scotland to obtain necessary criminal records checks (where relevant) and/or the Trust's Occupational Health provider in order to obtain input into any adjustments you may require in respect of the role offered to you. The Trust requires all third parties who have access to your personal data to take all appropriate security measures to protect it and only to process your personal data for specified purposes.

The Trust will not transfer your data outside the European Economic Area.

How does the Trust protect data?

The Trust 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 is not accessed except by our employees in the proper performance of their duties.

Data Breaches

The Trust is required to notify the Information Commissioner's Office in the event of the loss or unauthorised disclosure of personal data it holds. If you know or suspect that a data breach has occurred during the application process please let us know immediately.

For how long does the Trust keep data?

If your application for employment is unsuccessful, the Trust will hold your data on file for six months after the end of the relevant recruitment process. If you agree to allow the Trust to keep your personal data on file, the Trusts will hold your data on file for a further year for consideration for future employment opportunities. At the end of that period or once you withdraw your consent; your data is deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment.

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 the Trust to change incorrect or incomplete data;
- 🔗 require the Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- 🔗 object to the processing of your data where the Trust is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please [contact the Data Protection Officer](#).

If you believe that the Trust has not complied with your data protection rights, you can complain to the Information Commissioner's Office.

What if you do not provide personal data?

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

Automated Decision-making

The Trust's recruitment processes are not based on automated decision-making.

Contact us

If you have any questions about this job applicant privacy notice or wish to exercise your rights you can contact the Data Protection Officer by:

- ✉ Post – FAO: Data Protection Officer, The Donaldson Trust, Preston Road, Linlithgow, West Lothian, EH49 6HZ
- ✉ Email – info@donaldsons.org.uk

Document approval

- The HR Manager is the owner of this Policy and is responsible for ensuring its review
- The Trust's appointed lawyers have reviewed this policy
- The Board is responsible for approval of this policy

This policy is reviewed and approved on a version-controlled basis.

This policy is available to all staff.

Signature	<i>The Board of Trustees</i>
Name	The Board of Trustees
Date	September 2018