

## **Recruitment privacy notice**

Under the General Data Protection Regulation, organisations are obliged to be transparent about how they collect and use personal information in relation to existing and prospective employees. This Privacy Notice explains how we use your information including your rights under the new legislation.

As part of any recruitment process, Hatfield Town Council, collects and processes personal data relating to job applicants. We have a Legal Obligation that enables us to process information about you.

### **What information do we collect about you during application stage and/or if you are invited to attend for interview?**

We collect and process a range of information about you. This includes:

- your name, address, contact details (including email address and telephone number)
- details of your qualifications, skills, experience, training and employment history, including start and end dates, with previous employers
- information about your remuneration
- National Insurance number
- information about your marital status
- information about your nationality and entitlement to work in the UK
- information about your criminal record if applicable
- information about medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process (please note that this special category data is not shared with the recruiting line manager or interview panel during shortlisting stage)
- equal opportunities monitoring information, including information about your gender, ethnic origin, sexual orientation, health and religion or belief (please note that this special category data section is not shared with the recruiting line manager or interview panel at any stage)

We collect this information in a variety of ways. For example, data is collected through application forms; obtained from your passport or other identity documents such as your driving licence; from qualification certificates; from correspondence with you; or through interviews, meetings or other assessments.

### **What information do we collect about you if you are successfully appointed?**

In addition to the personal data that we collect and process during the recruitment procedure, we also collect and process a range of information about the successful applicant when we begin the appointment procedure, which includes:

- details of your bank account
- information regarding your job performance with previous employers
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you (if applicable)
- sickness absence
- information about medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover

- information about your next of kin, dependents and emergency contacts

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

We also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information relating to medical clearance and information from criminal records checks permitted by law. Where a post requires a criminal records check from the Disclosure and Barring Service or a Police Check, this will be stipulated in the advertisement.

### **Why do we process personal data?**

We need to process your personal data to take steps at your request prior to entering into a contract with you. For successful applicants, we need to process your personal data to enter into a contract with you.

We also need to process your 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, we are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment and to ensure that individuals are permitted to undertake the role in question.

These Legal Obligations enable us to process personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to:

- manage the recruitment process
- assess and confirm a candidate's suitability for employment and decide to whom to offer a job
- obtain occupational health advice, to ensure that we comply with duties in relation to individuals with disabilities and meet our obligations under health and safety law
- respond to and defend against legal claims; and
- maintain and promote equality in the workplace

### **What is Special Category data and why do we process it?**

Special Category data is any information relating to the following:

- race
- ethnic origin
- political or religious affiliations
- trade union membership
- genetic information
- biometrics (where used for ID purposes)
- health
- sex life
- sexual orientation

Some Special Category data is processed to carry out employment law obligations (such as those in relation to applicants with disabilities and for health and safety purposes).

We process health information if we need to make a reasonable adjustment 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 personal data, such as information relating to ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring.

### **Who do we share your data with and why?**

Your personal information will be shared internally for the purposes of the recruitment exercise. Application forms (excluding the special category data section) will also be shared with the recruiting line manager and interview panel.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain pre-employment references for you; employment background check providers to obtain necessary background checks; and the Disclosure and Barring Service / Police to obtain necessary criminal records checks. In those circumstances, the data will be subject to confidentiality arrangements.

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

### **How we store your data**

The information we collect about you is securely stored in a range of different places, including in restricted access IT systems. For successful applicants, your personal information will be stored within your employee personal file.

### **How do we protect your data?**

We take the security of your personal data seriously. We have internal policies and controls in place to safeguard against unlawful access or use of your information. We have restricted access controls to systems that hold your data to which only relevant employees have access. We employ a range of security techniques including but not limited to, encryption, passwords, monitoring and other access controls to ensure that your data is not lost, accidentally destroyed, misused or wrongfully shared. We also have procedures in place to deal with Data Breach incidents, for example if an unauthorised person accesses or discloses your information to unintended recipients.

Where we engage third parties to process personal data on our behalf, contracts are drawn up requiring third parties to safeguard personal information. They are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data is guaranteed.

### **For how long do we keep data?**

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your employee personal file and retained for the duration of your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

If your application for employment is unsuccessful, we will hold your personal data for a period of up to 9 months after the closing date. At the end of that period, your data will be deleted or destroyed.

### **Your rights in relation to your personal data**

As a data subject, you have a number of rights under the Data Protection Act 2018. You can:

- access and obtain a copy of your data on request
- require us 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 our legitimate interests as the legal ground for processing data
- 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 wish to exercise any of these rights, please contact the Town Clerk [town.clerk@hatfield-herts.gov.uk](mailto:town.clerk@hatfield-herts.gov.uk).

Further information relating to your rights under the General Data Protection Regulation can be found on the website of the [Information Commissioner's Office](#)

If you believe that we have not complied with your data protection rights, you can [complain to the Information Commissioner](#)

### **What if you do not provide your 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.

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.

### **Changes to this privacy notice**

This privacy notice was published on 6 August 2018. There are no amendments since publication; when amendments are made to this document we will update this section. We recommend that you review this section from time to time so that you are aware of the latest version of this notice.