

STAFF JOB APPLICANT PRIVACY NOTICE

Version for adoption at the 14/03/22 Board meeting

1. Introduction.

1.1. As part of our recruitment process, Transform Scotland collects and processes personal data relating to job applicants. Transform Scotland is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. This document articulates how this is done.

2. What information does Transform Scotland collect?

Transform Scotland collects a range of information about you. This may include:

- Your name, address and contact details, including email address and home and mobile phone numbers.
- Details of your qualifications, skills, experience and employment history, including start and end dates with previous employers and with Transform Scotland where relevant.
- Information about your current level of remuneration, including benefit entitlements.
- Whether or not you have a disability for which the Company needs to make reasonable adjustments during the recruitment process.
- Information about your entitlement to work in the UK.

This information may be collected in a variety of ways. For example, data might be contained in application forms, CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

Transform Scotland 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. Information from third parties will only be sought once a job offer to you has been made and you will be informed if this is the case.

Data will be securely stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email and hard copy notes).

3. Why does Transform Scotland process personal data?

Transform Scotland needs to process data to take steps at your request *prior* to entering into a contract with you. It may also need to process your data to enter into a contract with you.

In some cases, processing data is needed to ensure compliance with legal obligations. For example, when required to check a successful applicant's eligibility to work in the UK before employment starts.

Transform Scotland 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 management of the recruitment process, assessment and confirmation of a candidate's suitability for employment and allows a decision of whom to offer a job to be made. Processing data from job applicants may also be needed to respond to and defend against legal claims.

Transform Scotland may process special categories of data, such as information about **ethnic origin, sexual orientation or religion or belief**, to monitor recruitment statistics. Information may also be collected about whether or not applicants are disabled, in order to make reasonable adjustments for candidates during the recruitment process who have a **disability**.

For some roles, Transform Scotland may be obliged to seek information about **criminal convictions and offences**.

If your application is unsuccessful, Transform Scotland may keep your personal data on file in case there are future employment opportunities for which you may be suited. You will always be asked for your consent before this happens and you are free to withdraw your consent at any time.

4. 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 area of the vacancy and IT staff if access to the data is necessary for the performance of their roles.

Transform Scotland will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. Your data may then be shared with former employers to obtain references for you and/or employment background check providers to obtain necessary background checks.

Transform Scotland also shares your data with third parties that might process data on its behalf, in connection with its HR provider, recruitment partners and the provision of occupational health services. The recipients of the information will be bound by confidentiality obligations. We may also be required to share some personal information as required to comply with law or regulation such as with UK Visas and Immigration and law enforcement agencies.

Transform Scotland will not transfer your data outside the European Economic Area.

5. How does Transform Scotland protect data?

Transform Scotland takes the security of your data seriously. Details of how are contained in the **Data Protection Policy**.

6. For how long does Transform Scotland keep data?

If your application for employment is *unsuccessful*, and if you agree to allow Transform Scotland to keep your personal data on file, then your data will be held on file for **6 months** after the end of the relevant recruitment process for consideration for future employment opportunities. At the end of that period, or once you withdraw your consent, your data will be 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 for the duration of your employment). The periods for which your data will be held are contained in Transform Scotland's **Data Retention Policy**.

7. 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 Transform Scotland to change incorrect or incomplete data.
- Require Transform Scotland 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 Transform Scotland 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 Director of Transform Scotland.

If you believe that Transform Scotland has not complied with any of your data protection rights, you can complain to the Information Commissioner.

8. What if you do not provide personal data?

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

9. Automated decision-making

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

