

Recruitment Privacy Notice

The purpose of this notice is to advise you on how Bath and North East Somerset Council will collect and use your personal data in Human Resources, Payroll Services and Organisational Development.

We are committed to protecting your data, never using it inappropriately and we are committed to honesty and transparency. We will comply with all the General Data Protection Regulation (GDPR) requirements to manage our obligations as part of the employment relationship.

Data controller: Information Governance, The Guildhall, 1 High Street, Bath BA1 5AW. Information_Governance@bathnes.gov.uk Telephone: 01225 396872

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

What information does the Council collect?

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

- your name, address and contact details, including email address and telephone number;
- information about your marital status, next of kin and emergency contacts
- information about your entitlement to work in the UK including nationality, passport and/or visa details
- details about any dismissal particularly where the role is working in regulated activity
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- details of your bank account, national insurance number
- details of shared parental leave
- details of previous termination payments where they may have an impact on continuity of service as covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (**Modification**) **Order** (RMO).
- whether or not you have a disability, medical or health condition for which the Council needs to make reasonable adjustments during the recruitment process;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief. The equalities data details being given is kept separately from the information used in recruitment

decisions. The information is also used for monitoring purposes and to ensure that policies are being applied fairly.

The Council collects 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, meetings or other forms of assessment, including online tests.

The Council will also collect personal data about you from third parties, such as references supplied by former employers, information from criminal records checks and information from professional bodies to check qualifications and membership status where it is a requirement of the post.

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

Why does the Council process personal data?

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

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

Where the Council relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The Council processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the Council processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, the Council is obliged to seek information about criminal convictions and offences. Where the Council 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 Council will not use your data for any purpose other than for the post for which you have applied.

Any data that is collected as part of a right to work process or in respect of criminal records will be destroyed, immediately after any selection process has taken place where applicants are not successful in securing a post. The Council uses a secure and confidential destruction process.

Who has access to data?

Your information will be share internally for the purposes of the recruitment exercise. This includes members of the Human Resources and Organisation Development Service and any interviewers involved in the recruitment process, managers in the business area with a vacancy. We also share your information with our IT systems staff limiting access to any data that is necessary for the performance of the recruitment module within the HR and Payroll management information system.

The Council will not normally share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. However the Council does provide a recruitment service on behalf of third party employers where data will be shared. We will share your data with former employers to obtain references for you and the Disclosure and Barring Service to obtain necessary criminal records checks. The Council's DBS applications are processed by uCheck, who use a secure site to process DBS applications on the Council's behalf. Applicants working in regulated activity and/or using public secure network systems will have direct access to the system to enter the relevant details.

For applicants who require permission to work in the United Kingdom, the Council may need to share personal information with the Home Office and any appointed legal adviser for the Council to make sure we comply with legal and statutory obligations.

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

How does the Council protect data?

The Council 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. The Council has a number of internal policies and controls including system restrictions to protect data. The following list provides examples but is not exhaustive:

- Information Security Policy
- Information Sharing Policy
- Mobile and Remote Working Policy
- System Access and Password Management Policy
- Acceptable Use Policy
- Securely Transferring Information Guidelines

Copies of these policies can be provided by contacting the Information Governance Team at the address provided at the beginning of this statement and are available for all employees on the Council's intranet.

The Council also uses the Government Connect Secure Extranet (commonly known as GCSx). This is a government-accredited secure network which provides

- Secure access to central government applications and databases
- Secure email exchange with central government, police, and other local authorities
- Secure bulk file transfer between local and central government

Where it is not possible for external service providers/key partner organisations to comply with the Government Connect Code of Connection requirements the Council has implemented an alternative solution which is called GlobalSCAPE – a corporate secure information transfer solution.

For how long does the Council keep data?

If your application for employment is unsuccessful, the Council will hold your data on file for 12 months after the end of the relevant recruitment process. The information may be used for statistical reporting and the provision of equalities data. At the end of that period, 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. The purpose for which your data will be held will be provided to you in a new privacy notice. Periods of retention for Human Resources and Payroll records are published by the Council's Information Management Services and are available to all employees on the intranet.

Your rights

As a data subject, you have a number of rights. Your rights are set out in Articles 13 to 22 of the General Data Protection Regulations and include:

- access and obtain a copy of your data on request;
- require the Council to change incorrect or incomplete data;
- require the Council 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 the Council is relying on its legitimate interests as the legal ground for processing; and
- ask the Council to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Council's legitimate grounds for processing data.

[If you would like to exercise any of these rights, please contact Information_Governance@bathnes.gov.uk in the first instance. You can make a

subject access request by contacting the Information Governance Manager at the same e-mail address.

If you believe that the Council has not complied with your data protection rights, you can complain to the Information Commissioner, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the Council during the recruitment process. However, if you do not provide the information, the Council 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.

Automated decision-making

Recruitment processes are not based solely on automated decision-making. However, anyone who does not have the Right to Work in the UK will be automatically debarred from the application process.