

# General Data Protection Regulations and Data Protection Act 2018

## Candidate Privacy Notice

### What is the purpose of this document?

We take your privacy seriously and will only use your personal information to administer your application for employment. This privacy statement explains what personal data we collect from you and how we use it. It provides you with certain information that must be provided under the General Data Protection Regulations and the Data Protection Act 2018.

### Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

### The kind of information we hold about you

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications, unpaid work, outside interests
- Any information you provide to us during an interview.
- Any test results arising from the recruitment and selection process.
- We may also collect, store and use the following types of more sensitive personal information:
  - Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
  - Information about your health, including any medical condition, health and sickness records.

### How is your personal information collected?

We collect personal information about candidates from the following sources:

- You, the candidate
- Your named referees
- Cornwall Council Occupational Health Department (where appropriate)

### How we will use information about you

We will use the personal information we collect about you to

- Assess your skills, qualifications, and suitability for the work
- Carry out background and reference checks, where applicable
- Communicate with you about the recruitment process
- Keep records related to our hiring processes
- Comply with legal or regulatory requirements

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## Lawful basis for collection and processing

We have a legitimate interest in processing 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.

We also need to process data to ensure that we comply with our legal obligations. For example, we are required to check a successful applicant's eligibility to work in the UK before employment starts. We may also need to process data from job applicants to respond to and defend against legal claims.

We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability, for example whether adjustments need to be made during a test or interview.

Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of applicants and we have concluded that they are not.

Having received your application form we will process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the post. If we decide to offer you the post, we will then take up references.

## If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## How we use particularly sensitive personal information

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## Information about criminal convictions

We do not anticipate processing information about criminal convictions in relation to this post.

## Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## How is data protected?

We take the security of your data seriously. We have put internal 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.

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## Data retention

### How long will you use my information for?

The successful candidate's data will be held under our General Data Protection Policy, details of which will be made available on confirming the offer of employment.

Unsuccessful candidates' data will be retained for a period of six months after we have communicated our decision to you. We retain your personal information for that period so that we can demonstrate, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with current laws and regulations.

## Rights of access, correction, erasure, and restriction

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Chairman in writing.

## Right to withdraw consent

When you apply for this role, you provide consent to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the Chairman. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

## Compliance

The Chairman has the responsibility to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Chairman. You 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.