

**FAIR PROCESSING NOTICE (JOB APPLICANT DATA)**

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**Prepared By**

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| Document Owner(s) | Project/Organization Role |
| Lisa Lewis / Racheal Hoult | HR Manager / Executive Support & Communications Coordinator (Information Compliance Officer) |

**Version Control**

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| Version | Date | Author | Change Description |
| 1.0 | 15.05.18 | As Above | HR fair processing notice (job applicant) created |
| 2.0 | December 2023 | Racheal Hoult | Amendments following review by DPP and editorial improvements |

1. About this document
   1. During the course of recruitment, we will process personal data (which may be held on paper, electronically, or otherwise) about our job applicants and we recognise the need to treat it in an appropriate and lawful manner, in accordance with the General Data Protection Regulations (UK GDPR). The purpose of this notice is to make you aware of the types of data that we hold on job applicants. It also sets out how we collect data, why we process that data and how long we keep it for along with other relevant information.
   2. This notice applies to all job and volunteer applicants.
2. Data controller
   1. Pickering and Ferens Homes (PFH), (7 Beacon Way, Hull, HU3 4AE, Tel: 01482 223783) is deemed a data controller, meaning that we determine the purpose and processes to be used when using personal data.
3. Why we process your data
   1. We will only process personal data for certain reasons as defined by GDPR:
      1. The primary reason for processing candidate data is to allow us to carry out an effective recruitment process. The lawful basis for this is to allow us to pursue our legitimate interests of running a commercial organisation and seeking to attract and select the best talent.
      2. We process candidate data for the purpose of equal opportunities monitoring due to our position as a public service provider. The lawful basis for this is a substantial public interest condition permitted under the Data Protection Act 2018.
      3. We process information about disabilities to allow us to make adjustments required to the recruitment process. The lawful basis for this is a legal obligation to comply with Equality legislation and also for the purposes of complying employment and health and safety law.
      4. We may undertake a criminal record check for successful candidates in certain roles but you will be specifically informed if we intend to do this for you. The lawful basis for us doing background checks on successful applicants is pursuant to our legal obligation to safeguard residents classed as vulnerable adults.

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1. Data provision
   1. One of the reasons for processing candidate data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with your application/offer of employment if you fail to do so e.g. confirming right to work in the UK or, where appropriate, confirming legal status for carrying out work via a criminal records check (DBS).
2. Data sharing
   1. Data will be shared with colleagues within PFH where it is necessary for them to undertake their duties with regards to recruitment. This includes, for example, the HR department, those included on the shortlisting and selection panels and the IT department if you require access to our systems to undertake any assessments requiring IT equipment.
   2. We may disclose your personal data to third parties to process your application, such as the DBS, referees provided with your application, psychometric testing providers, former employers, etc.
   3. We do not share your data with bodies outside of the UK.
3. Protecting your data
   1. We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.
   2. Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.
4. Data retention
   1. In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of the recruitment exercise in the case of equal opportunity data. All other information gathered during the recruitment and selection process will be retained for one year as outlined in Appendix 1.

Data will be destroyed or erased from our systems after this period.

1. Automated decision making
   1. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.
2. Your rights in relation to your data
   1. You have the right to:

* be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
* the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request via email to the HR Department.
* the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.
* the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it.
* the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct.
* the right to portability. You may transfer the data that we hold on you for your own purposes
* the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
* the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.
  1. **Where we are relying solely on your consent to use your data, you also have the unrestricted right to withdraw that consent at any time.** Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

1. Breaches of data protection principles
   1. If you consider that the data protection principles have not been followed in respect of personal data about yourself or others you should raise the matter with our Information Compliance Officer, Racheal Hoult. Any breach of the GDPR will be treated as a serious matter and appropriate action taken.
   2. The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO) and complaints can be made direct to them.

APPENDIX 1 - HR RETENTION LIST (JOB APPLICANT DATA)

Part 1 Recruitment and Selection

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| **Data** | **Retention Period** | **Disposal Method** |
| Applications and interview notes  (for unsuccessful candidates) | 1 year | Shredded/Deleted |
| Equal Opportunity Forms including Gender, Marital Status, Age, Ethnic Origin, Disability, Sexual Orientation, Religious Belief/Faith, Criminal Conviction | Duration of recruitment campaign (1 month) | Shredded/Deleted |