

Recruitment

Privacy Statement

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 do we collect?

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

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the Council needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, disability, sexual orientation, health and religion or belief.

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

In some cases, we will 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. We will seek information from third parties only once a job offer to you has been made and we will inform you of this.

Data may be stored in a range of different places, including on your application record, in Human Resources (HR) management systems and in Outlook (emails).

How will we use the information? (Including our legal bases for processing)

We need to process data to take steps at your request prior to entering into a **contract** with you. We also need to process your data to enter into a contract with you.

In some cases, we need to process 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.

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 may also need to process data from job applicants to respond to and defend against legal claims.

Where we rely on **legitimate interests** as a reason for processing data, we have to consider whether or not those interests are overridden by the rights and freedoms of an individual.

We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our legal obligations and exercise specific rights in relation to employment.

Where we process 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. Data that we use for these purposes is anonymised. Job applicants are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

For some roles, 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 legal obligations and exercise specific rights in relation to employment.

We will not use your data for any purpose other than the recruitment exercise for which you have applied.

Under data protection regulation there are a further three legal bases for personal data processing: **Public task**, **vital interests** and **consent**. The Council's generic privacy statement contains information on those. This is published on the Council's website.

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.

Who has access to your data?

Your information will 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 and managers in the business area with the vacancy. There may be occasions when ICT staff need access to systems containing personal data to undertake a task. This access will be based on a legitimate need and strictly controlled.

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 (as required) with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

Sometimes we may be required by law to disclose personal information to a third party where an exemption exists under data protection regulation for example crime detection and prevention.

Personal data which the council processes itself is held on UK servers. When using an external provider for processing e.g. occupational health services, it is our policy to use organisations

which have UK or EU based servers to receive the safeguards contained within UK data protection law and reciprocated across the European Union.

How do we protect data?

The Council takes the security of your data seriously. The Council has internal policies and controls in place to safeguard personal data. This includes access restrictions to systems containing personal information, employee training and awareness, ICT security controls and protocols, confidential waste collection and destruction, and documentation including personal data audits and, guidance.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

How long do we keep your personal information?

If your application for employment is unsuccessful, we will hold your data on file for **12 months** after the end of the relevant recruitment process. At the end of that period, your data will be deleted or destroyed securely.

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 periods for which your data will be held will be provided to you in a privacy statement for employees.

Access to your information and other individual rights

You have the right to request a copy of the information that we hold about you. You can make a subject access request by completing the Council's [form for making a subject access request](#) which is available on the Council's website.

You also have other rights under data protection regulation which include rights to rectification, erasure, to restrict processing, data portability, to object, and to prevent automated decision making. Some of these rights are affected by the legal basis for processing which the Council is using, for example the rights to erasure and portability do not apply when processing your personal data for official public functions. More information of your rights is available on our website – search 'data protection'.

To exercise your rights please contact Sara Gordon, HR & OD Manager in the first instance (see contact details).

If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner. You may wish to speak to the Council's Data Protection Officer first (see contact details).

How to contact us

Please contact us if you have any question about this privacy statement or information we hold on you:

- By email – sara.gordon@ne-derbyshire.gov.uk
- By phone – 01246 217677
- Or write to us at: North East Derbyshire District Council, District Council Offices, 2013 Mill Lane, Wingerworth, S42 6NG

The Council's Data Protection Officer is Kath Drury, email kath.drury@bolsover.gov.uk or telephone 01246 242280.

The Data Controller is North East Derbyshire District Council.

You also have a right to make a complaint to the Information Commissioner's Office about concerns you may have about your personal data.

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113

www.ico.org.uk

You may wish to raise any complaint or concern with us first by contacting the Council's Data Protection Officer or the HR & OD Manager.