

## **Privacy Statement – Job Applicants**

Your privacy and the protection of your personal information are very important to us and we are committed to compliance with data protection legislation. This privacy notice explains what we do with your personal information, how we protect it and what your rights are.

### **Who we are?**

We are Tayside Contracts, a commercially based local authority trading organisation providing key front-line services throughout the Tayside area of Scotland. Tayside Contracts' registered office is at 1 Soutar Street, Dundee, DD3 8SS. We are a 'data controller' under Data Protection Legislation and our ICO registration number is Z7308719.

If you have any questions about our use of your personal information, or wish to exercise your rights which are detailed below, please contact our Data Protection Lead, Novella Traghan, Organisational Development Manager, Tayside Contracts, 1 Soutar Street, Dundee, DD3 8SS, (01382) 834114, [GDPR@tayside-contracts.co.uk](mailto:GDPR@tayside-contracts.co.uk)

### **Why do we need your personal information and what information do we hold?**

We need to process personal data relating to job applicants to ensure that we employ the most suitable employees to carry out our work and to ensure that we meet our legal and contractual responsibilities as an employer.

We collect a range of information about you as part of the recruitment process. This includes:

- your name, address and contact details, including email address and telephone number
- details of your qualifications, skills, experience and employment history
- where applicable, details of your driving licence information including your driving qualifications, driving licence number and any endorsements or disqualifications
- information about your current level of remuneration
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process and to identify whether or not you are eligible under the Guaranteed Interview Scheme
- information about your entitlement to work in the UK
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief

We will never collect any unnecessary personal data from you and do not process your information in any way, other than as specified in this notice.

### **How do we collect this information?**

The majority of information we collect comes directly from you when you register on our website and complete an application form. We also collect information from identity documents such as your passport, or collected through interviews or other forms of assessment. We may also require you to complete an Electronic Fair Processing Declaration.

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 driving licence checks. We will seek information from third parties during the recruitment process only and will inform you that we are doing so.

## **Why we process your personal information (the legal basis)**

We need to process your data to manage the recruitment process, assess and confirm your suitability for employment and decide whether or not we will offer you the job. These are all necessary for supporting your application to enter into a contract of employment with us.

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

We may process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability and to ensure that candidates applying for a position under the guaranteed interview scheme that meet the essential criteria are invited to interview.

For some roles we are obliged to seek information about criminal convictions and offences. Where we process 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 this data for any purpose other than the recruitment exercise required for the post that you have applied for.

We also process other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, for equality monitoring purposes and trend analysis. Explicit consent is required for this type of data and where consent is granted, you also have the right to withdraw this consent at a later date.

## **Profiling and automated decision making**

We use cookies for those who access our website. We do not have any automated decision-making processes which would affect you – that is, decisions made by computer without human intervention.

## **Sharing your information**

The personal information we hold about you will be shared internally for the purposes of the recruitment exercise and may be accessed, on a need to know basis, by those involved in the recruitment process e.g. members of the HR team, managers involved in the recruitment process, administrative and IT staff.

We will share your data with third parties to assist in the decision-making process, prior to making you an offer of employment. This includes sharing your data with former employers to obtain references for you, carrying out relevant employment background checks with Disclosure Scotland and requesting driving licence checks from Driver Hire Group Services Ltd.

We may also share your data with external agencies such as our appointed Occupational Health provider to carry out pre-employment health checks where necessary or to Interpreter or Sign Language service providers if you state that you require assistance during the recruitment/interview process.

## **Use of data processors**

Data processors are third party suppliers who provide a service on our behalf that involves the processing of your personal data. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do so. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct. We use the following data processors:

Tay Fusion is a web development company who is responsible for designing and maintaining Tayside Contracts website. They also maintain the database where your personal data is stored during the application process, before being transferred to Tayside Contracts HR system. Tay Fusion is compliant with Data Protection Legislation, a copy of their privacy statement can be found [here](#).

Snowdrop is Tayside Contracts on-premise HR software system and is provided by Sage, the information provided by you on our website is transferred from the application process database into Snowdrop. Sage do not have any access to your personal data.

Driver Hire Group Services Ltd is the data processor we use to perform driving licence checks if driving is a specific requirement of the job you are applying for. Driver Hire Group Services Ltd work under contract with DVLA and under this agreement cannot use any information that they hold for any other purpose other than reporting on driver licence verification. Driver Hire Group Services is compliant with Data Protection Legislation, further information on how they handle your data can be found [here](#).

## **Where do we store and protect your information?**

We store the vast majority of your personal information on an HR Record system called Snowdrop. This is the system we use for recording, updating and deleting all of your employment related data. We also use this system to produce employment related reports.

Access to the Snowdrop system is restricted to only those within the organisation who require it to carry out their roles. Access levels are also restricted depending on the level of authority required.

We will not transfer your data outside the European Economic Area and will ensure the data we hold is kept safe and secure. The physical documents containing your personal data will only be accessed by the necessary employees involved in the recruitment and administration process and will be stored in lockable facilities. The information held electronically will be saved in a database which is protected by strict access permissions, encryption and is bound by the terms of Tayside Contracts IT Security Policy.

If your application for employment is unsuccessful, we will hold your data on file for 6 months from the end of the relevant recruitment process. At the end of that period your data is securely deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personal file and retained during your employment. The periods for which your data will be held will be provided to you in our employee privacy notice. We retain anonymised statistical information about applicants to help inform our recruitment activities, but no individuals are identifiable from that data.

## **What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to Tayside Contracts during the recruitment process. However, if you do not provide the information, we will be unable to progress your application. 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.

For further information, please contact [GDPR@tayside-contracts.co.uk](mailto:GDPR@tayside-contracts.co.uk) or Novella Tragham, Organisational Development Manager on (01382) 834114.

## **How long do we keep your data for?**

Tayside Contracts' [Retention of HR Records Policy](#) details how long we retain the information we hold about you. If you are successful in your application for employment with us, your personal data is transferred on to our HR system and retained in line with the retention schedule. If you are unsuccessful in your application for employment with us, we will retain your data for a period of six months.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We retain anonymised statistical information to help inform our work, but you cannot be identified from that data.

The destruction of confidential waste takes place regularly. We employ a professional company, Let's Talk Shred, to carry out this exercise on our behalf. They attend Tayside Contracts premises and remove the confidential waste in secure packaging and provide a certificate of destruction was it has been destroyed. Let's Talk Shred is compliant with data protection legislation. A copy of their privacy notice can be found at [www.letstalkshred.co.uk](http://www.letstalkshred.co.uk).

## **Your rights regarding the personal data we hold about you**

Data protection legislation gives you certain rights in relation to your personal information.

You have a right to know what personal information we hold about you and to receive a copy of it, subject to some exemptions, by making a 'subject access request'. We try to be as open as we can be in terms of giving people access to their personal information.

To find out more, please read our [Subject Access Request Procedure](#) which provides more information about this process and includes a form for you to complete and send to us, if you would like to make a subject access request.

You have the right to request the correction of incomplete or inaccurate data we hold about you.

You have the right to object to Tayside Contracts using your information where we are relying on a legitimate interest (or those of a third party) and we would have to stop unless we have a sound overriding reason to continue.

## **Erasure, restriction and portability**

In specific circumstances, you have the right to have your personal data deleted, to put limits on what Tayside Contracts may do with it or to receive a copy in machine-readable form to take to another organisation.

There are also specific legal rights relating to automated decision making but Tayside Contracts does not have any such processes.

You can exercise any of these rights by using the contact information at the top of this document.

For more information on your rights under data protection legislation see <https://ico.org.uk/for-the-public/>

## **Complaints or queries about how we process your personal information**

If you have any complaints or queries about how we process your personal information you should contact Novella Traghams using one of the methods detailed above.

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

If you are dissatisfied with our response to a complaint you send us, or have any concerns about our handling of your personal data, you can complain to the Information Commissioner's Office by using the details below:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Online: <https://ico.org.uk/concerns/handling/>