



ECCLESFIELD PARISH COUNCIL

Serving your Community Since 1894

PRIVACY NOTICE FOR JOB APPLICANTS

In accordance with the General Data Protection Regulation (GDPR), Ecclesfield Parish Council has implemented this privacy notice to inform you, as prospective employees of our Council, of the types of data it processes about you. The Council also includes within this notice the reasons for processing your data, the lawful basis that permits it to process it, how long it keeps your data for and your rights regarding your data.

Data Protection Principles

Under GDPR, all personal data obtained and held by the Council must be processed according to a set of core principles. In accordance with these principles, the Council will ensure that:

- a) Processing is fair, lawful and transparent.
- b) Data is collected for specific, explicit, and legitimate purposes.
- c) Data collected is adequate, relevant and limited to what is necessary for the purposes of processing.
- d) Data is kept accurate and up to date. Data that is found to be inaccurate will be rectified or erased without delay.
- e) Data is not kept for longer than is necessary for its given purpose.
- f) Data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures.
- g) The Council complies with the relevant GDPR procedures for international transferring of personal data.

Types of Data Held

The Council keeps several categories of personal data on our prospective employees to carry out effective and efficient processes. It keeps this data in recruitment files relating to each vacancy. It also holds the data within its computer systems, for example, recruitment logs.

Specifically, the Council holds the following types of data:

Privacy Notice – Job Applicants

- a) Personal details such as name, address, phone numbers.
- b) Name and contact details of your next of kin.
- c) Your photograph
- d) Your gender, marital status, information of any disability you have or other medical information.
- e) Right to work documentation.
- f) Information on your race and religion for equality monitoring purposes.
- g) Information gathered via the recruitment process such as that entered into a CV or included in a CV cover letter.
- h) References from former employers.
- i) Details on your education and employment history etc.
- j) Driving licence.
- k) Criminal convictions.

Collecting Your Data

You provide several pieces of data to the Council directly during the recruitment exercise.

In some cases, the Council will collect data about you from third parties, such as employment agencies, former employers when gathering references or credit reference agencies.

Should you be successful in your job application, the Council will gather further information from you, for example, your bank details and next of kin details, once your employment begins.

Lawful Basis for Processing

The law on data protection allows the Council to process your data for certain reasons only.

The information below categorises the types of data processing the Council undertakes and the lawful basis it relies on.

Activity requiring your data	Lawful basis
Carrying out checks in relation to your right to work in the UK	Legal obligation
Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions in relation to both initial and subsequent employment e.g. promotion	Our legitimate interests

Making decisions about salary and other benefits	Our legitimate interests
Making decisions about contractual benefits to provide to you	Our legitimate interests
Assessing training needs	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

Special Categories of Data

Special categories of data are data relating to your:

- a) Health.
- b) Sex life.
- c) Sexual orientation.
- d) Race.
- e) Ethnic origin.
- f) Political opinion.
- g) Religion.
- h) Trade union membership.
- i) Genetic and biometric data.

The Council carries out processing activities using special category data:

- a) For the purposes of equal opportunities monitoring.
- b) To determine reasonable adjustments.

Most commonly, the Council will process special categories of data when the following applies:

- a) You have given explicit consent to the processing.
- b) It must process the data to carry out our legal obligations.
- c) It must process data for reasons of substantial public interest.
- d) You have already made the data public.

Failure to Provide Data

Your failure to provide the Council with data may mean that it is unable to fulfil its requirements for entering into a contract of employment with you. This could include being unable to offer you employment or administer contractual benefits.

Criminal Conviction Data

The Council will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits it. This data will usually be collected

at the recruitment stage, however, may also be collected during your employment.

The Council uses criminal conviction data to determine your suitability or your continued suitability for the role. The Council relies on the lawful basis of our legitimate interests to process this data.

Who we share your data with

Employees within our Council who have responsibility for recruitment will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR.

Data is shared with third parties for the following reasons: training purposes, administration of payroll/pensions, organisations the Council has a working partnership with.

The Council may also share your data with third parties, such as for reasons to comply with a legal obligation upon it. The Council has a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

The Council does not share your data with bodies outside of the European Economic Area.

Protecting Your Data

The Council is aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. It has implemented processes to guard against such.

Retention Periods

The Council will only keep your data for as long as it needs it, which, in relation to unsuccessful candidates, is six months to a year.

If your application is not successful and the Council has not sought consent, or you have not provided consent upon our request to keep your data for future suitable job vacancies, it will keep your data for six months once the recruitment exercise ends.

If the Council has sought your consent to keep your data on file for future job vacancies, and you have provided consent, it will keep your data for nine months once the recruitment exercise ends. At the end of this period, it will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in

which case it will be deleted or destroyed upon your withdrawal of consent.

Where you have provided consent to the Council's use of your data, you also have the right to withdraw that consent at any time. This means that it will stop processing your data and there will be no consequences of withdrawing consent.

If your application is successful, your data will be kept and transferred to the systems it administers for employees. The Council have a separate privacy notice for employees, which will be provided to you on request.

Automated Decision Making

Automated decision-making means making a decision about you using no human involvement e.g. using computerised filtering equipment. 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.

Your Rights

You have the following rights in relation to the personal data the Council holds on you:

- a) The right to be informed about the data it holds on you and what it does with it.
- b) The right of access to the data it holds on you. The Council operates a separate Subject Access Request Policy and all such requests will be dealt with accordingly.
- c) The right for any inaccuracies in the data the Council holds on you, however, they come to light, to be corrected. This is also known as 'rectification'.
- d) The right to have data deleted in certain circumstances. This is also known as 'erasure'.
- e) The right to restrict the processing of the data.
- f) The right to transfer the data the Council holds on you to another party. This is also known as 'portability'.
- g) The right to object to the inclusion of any information.
- h) The right to regulate any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that the Council will stop processing the data that you had previously given it consent to use. There will be no consequences for withdrawing your consent. However, in some cases, the Council may continue to use the data where so permitted by having a legitimate reason for doing so.

Making a Complaint

If you think your data rights have been breached, you can raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303123 1113 (local rate) or 01625 545 745.

Contact Details

The Council's appointed compliance officer in respect of the Council's data protection activities is the Parish Clerk. He can be contacted by phone on 0114 284 5095 or by email at admin@ecclesfield-pc.gov.uk if you have any questions about this Privacy Notice.

Approved by Council April 2022

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