Job Applicant Privacy Notice

Forest Park Community Association is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we collect and hold on you as a job applicant. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

Data controller details

Forest Park Community Association is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows Forest Park Community Centre, Horndean Road, Forest Park, Bracknell, Berkshire RG12 0XQ

Data protection principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

Types of data we process

We hold many types of data about you, including *[delete and add points from the list as appropriate]:*

- your personal details including your name, address, date of birth, email address, phone numbers
- whether or not you have a disability
- information included on your CV/application form including references, education history and employment history
- documentation relating to your right to work in the UK

How we collect your data

We collect data about you in a variety of ways including the information you would normally include in a CV or a job application cover letter, or notes made by our recruiting officers during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

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

Personal data is kept in personnel files or within the organisation's HR and IT systems.

Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the employment contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data.
We need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK
- making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the organisation. We have set these out below:

- making decisions about who to offer employment to
- making decisions about salary and other benefits
- assessing training needs
- dealing with legal claims made against us

If you are unsuccessful in obtaining employment, your data will not be used for any reason other than in the ways explaining in relation to the specific application you have made.

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership and
- genetic and biometric data

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- for the purposes of equal opportunities monitoring

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, it may also be collected during your employment should you be successful in obtaining employment. We use criminal conviction data in the following ways:

- To determine whether any criminal convictions or cautions may present a risk to the Community Association, its employees, volunteers, service users, assets, or reputation.

We process this data because we have a legal obligation to meet our safeguarding responsibilities and to comply with applicable legislation relating to criminal record checks where these are required for the role.

If you do not provide your data to us

One of the reasons for processing your 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 able to process, or continue with, your application.

Sharing your data

Your data will be shared with colleagues within the organisation where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the HR department, those in the department where the vacancy is who are responsible for screening your application and interviewing you, the IT department where you require access to our systems to undertake any assessments requiring IT equipment.
In some cases, we will collect data about you from third parties, such as employment agencies.

Your data will be shared with third parties if you are successful in your job application. In these circumstances, we will share your data in order to *obtain references as part of the recruitment process, obtain a criminal records check*
We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse and have implemented processes to guard against such.
Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for
In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.
If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for *6 months* once the recruitment exercise ends.
If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for *12 months* once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdraw your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

Automated decision making

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 in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- 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
- 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.

Where you have provided consent to our use of 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.
If you wish to exercise any of the rights explained above, please contact forestparkcc@live.co.uk

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

Data Protection Officer

The Organisation has appointed Secretary of FPCA as the person with responsibility for data protection compliance within the organisation. They can be contacted at forestparkcc@live.co.uk. Questions about this policy, or requests for further information, should be directed to them.