



**WOKINGHAM
BOROUGH COUNCIL**

Privacy Notice Human Resources – Job Applicants

This notice, in conjunction with Wokingham Borough Councils overarching privacy statement, explains when as a service we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

Who are we?

HR Service
Wokingham Borough Council,
Shute End,
Wokingham,
Berkshire,
RG40 1BN

What is the lawful basis for processing the information?

The lawful basis for processing your information is the performance of a contract, or enter into a contract with you, necessary for compliance with a legal obligation, due to legitimate interests, and by you providing consent.

The Council needs to process data to take steps at your request prior to entering into a contract with you. It may also need to process your data to enter into a contract with you, should you be successful in your application. In some cases, the Council needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

The Council has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the Council to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide who to offer a job to. The Council may also need to process data from job applicants to respond to, and defend against, legal claims.

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of applicants and has concluded that they are not.

Where the Council processes other special categories of personal data, such as information about ethnic origin, sexual orientation or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out its obligations and exercise specific rights in relation to employment, such as the production of equality impact assessments and the development of diversity initiatives. Applicants are entirely free to decide whether to provide such data, and there are no consequences of not doing so.

Information is also collected about whether or not applicants are disabled in order to make reasonable adjustments for candidates who have a disability. The Council processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, the Council is obliged to seek information about criminal convictions and offences. Where the organisation seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful for the role advertised but the recruiting manager's assessment is that you are an appointable candidate, the Council will keep your personal data on file in case there are future similar employment opportunities for which you may be suited in the subsequent 3 months. The Council will seek your consent before putting your application forward for any alternative role.

How do we collect information from you?

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your behalf, e.g. an agency.

Information might be collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment (such as role acceptance or benefit nomination forms); from correspondence with you; or through interviews, meetings or other assessments.

In some cases, the Council may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers where applicable, and information from criminal records checks permitted by law.

What type of information is collected from you?

The Council collects and processes a range of information about you. The information is provided to enable Human Resources to carry out its duty and functions, provide you with a service, and continue to make service improvements.

We collect the following information: Surname; Forename; Address; Postcode; E-mail; Phone number; Details of qualifications, skills, and experience and employment history; Information about your current level of remuneration including entitlement to benefits, Whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process; Information about whether you have worked for the organisation before, are related to an employee, Councillor or Governor, or have a criminal record; Information about your entitlement to work in the UK; and equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

The Council may 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, where applicable. Except where the role you have applied for involves working with children and/or vulnerable adults, and so the Council will follow Safer Recruitment principles in seeking your references prior to interview, the Council will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

You will be informed of any other data we collect, that is not listed above, orally or through email at the time of collection of the data.

How do we use the information you have provided?

All information provided is used by Wokingham Borough Council to administer the recruitment process instigated by your job application in regard to our statutory obligations.

Information sought and processed is as appropriate for your relationship with the Council. For example, as an applicant your information will be recorded and processed for the purposes of ensuring a fair selection process.

Analysing statistical data for service development purposes (anonymised), and answer Freedom of Information requests and surveys regarding the organisations recruitment.

Who has access to the information about you?

Your information is managed by staff employed in Human Resources. Your information may also be shared with officers from other service areas for the purpose of the recruitment exercise; this includes interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

All personal data is stored securely; we have in place security which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information. Your data is stored securely on our systems and accessed only by authorised officers of Wokingham Borough Council by using their own Username and Password all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Councils network drives. These are only accessible through personal logon credentials and access privileges to specific drives.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our sites, any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a person electronic pass (lanyard) to access staff only areas.

Who we may share your information with?

When contacting Human Resources, your information will be shared with other Council staff to the extent required for the purpose of the recruitment exercise.

The Council will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment, or the role you have applied for involves working with children and/or vulnerable adults where the Council will follow Safer Recruitment principles in seeking your references prior to interview. The Council will share your data with third parties in order to obtain pre-employment references from other employers, obtain employment background checks from third-party providers if applicable, and obtain necessary criminal records checks from the Disclosure and Barring Service where this is a requirement of the job which you are appointed for.

To ensure that information is held continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access individuals personal information. This will be on a strict need to know basis and all contracts have confidentiality clauses built in.

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

Wokingham Borough Council may also share personal information with the police and other local authorities under Article 23 of the General Data Protection Regulations in order to prevent or detect crime.

How long do we store your information?

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

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 duration that the Council will hold information, and what happens at the end of that period, are as described within the Councils corporate retention schedule available on our website: www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement

Does the service utilise automated decision-making?

Human Resources does not utilise automated decision-making in the services that it provides as recruitment processes and outcomes involve human intervention.