



Privacy Notice Job Applicants

Date of Last Review: 8 June 2021, updated August 2021
Date Due for Review: 8 June 2024
Responsible Officer: Information Governance Manager



Privacy Notice - Job Applicants

Data Controller: WDH, Merefield House, Whistler Drive, Castleford, WF10 5HX

Data Protection Officer: Andrew Wisedale

As part of any recruitment process, WDH collects and processes personal data relating to job applicants. WDH is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. The information in this privacy notice explains your data is collected and processed as a job applicant. If you are successful in your application and become a WDH employee, the WDH Employee Privacy Notice will apply.

What information does WDH collect?

WDH collects a range of information about you. This includes:

- your name, address and contact details, including email address and phone number;
- reference details, which include current or previous employer and character references;
- 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 WDH needs to make reasonable adjustments during the recruitment process and any future employment;
- information about your entitlement to work in the UK;
- any previous criminal convictions;
- information on close working relationships or any direct involvement in the management of a company, firm, business or statutory to comply with the Housing Act 1996; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

How does WDH collect the data?

WDH collects most of this data through our application form. However, data is also obtained through other ways, for example, your passport or other identity documents, qualification certificates or through interviews and other forms of assessment.

WDH will also collect personal data about you from third parties, such as references supplied by former employers and other referees who are willing to supply character references. In some cases, information will also be collected from criminal records (Disclosure and Barring Service or DBS) checks. WDH will seek this information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your personnel files, in Human Resources (HR) management systems and on other IT systems (including email).

Why does WDH process personal data?

WDH needs to process data to take steps at your request prior to entering into and forming a contract with you.

In some cases, WDH 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.

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

Special category data

WDH processes health information relating to job applicants if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability or underlying health condition. This is to carry out its legal obligations and exercise specific rights in relation to employment. This information is not used as part of the selection process.

Where WDH processes other special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, this is for equal opportunities monitoring purposes only. This information is not used as part of the selection process.

WDH will ask you to provide information about unspent criminal convictions and offences. WDH seeks this information because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

WDH will process special category data and criminal records information in accordance with its policy on processing such data.

Future processing

If your application is unsuccessful, WDH may keep your personal data on file in case there are future employment opportunities for which you may be suited. WDH will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time. If you do not wish WDH to retain your data for future employment opportunities, then your data will be held and destroyed as set out below.

Who has access to your data and how will WDH share it?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT employees if access to the data is necessary for the performance of their roles.

WDH will not share your data with third parties unless your application for employment is successful and it makes you an offer of employment. WDH will then share your data with former employers to obtain references for you, other referees to supply character references, our occupational health provider to obtain confirmation of your fitness for employment in the role you have been offered and the DBS to obtain necessary criminal records checks.

Where information may be held

Information may be held at our offices and those of third party agencies, service providers, representatives and agents as described above.

How does WDH protect data?

WDH takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by our employees in the proper performance of their duties.

WDH has a number of policies and procedures in place to protect data, these include:

- Data Protection Policy;
- Information Governance Framework;
- Record Retention Schedule;
- Information Security Policy;
- Use of Electronic Equipment Procedure;
- Passwords Procedure and Guidance;
- Sending Personal Information by Email; and
- Subject Access Request and Individual Rights Under GDPR Procedure.

WDH also has procedures in place to deal with any suspected data security breach. WDH will notify you and any applicable regulator of a suspected data security breach where WDH is legally required to do so.

For how long does WDH keep data?

If your application for employment is unsuccessful, WDH will, as a matter of course, hold your data on file for six months after the end of the relevant recruitment process. At the end of that period, or if you withdraw your consent, your data will be deleted or destroyed unless WDH has a continuing legal basis for continuing to hold that information, such as that it is necessary in relation to ongoing legal proceedings.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personal file (hard copy and electronic) and retained for the duration of your employment. Upon appointment to a role, further information will be provided to you in the form of the WDH Employee Privacy Notice, as outlined earlier in this document.

Your rights

As a data subject, you have a number of rights. You can:

- **Request access** to your personal information (commonly known as a 'data subject access request').
- **Request correction** of any incomplete or inaccurate personal information that WDH holds about you.
- **Request erasure** of your personal information where there is no good reason for WDH continuing to process it or where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where WDH are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where WDH is processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask WDH to suspend the processing of personal information about you, for example if you want WDH to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you would like to exercise any of these rights, please contact the Information Governance team at WDH, Merefield House, Whistler Drive, Castleford, West Yorkshire, WF10 5HX or informationgovernance@wdh.co.uk.

If you believe that WDH has not complied with your data protection rights, you can make a complaint to the Information Commissioner, as set out below.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to WDH during the recruitment process. However, if you do not provide the information, WDH may not be able to process your application properly or at all.

Automated decision making

WDH recruitment processes are not based solely on automated decision making. Automated decision making may be used in certain circumstances, but this would be in conjunction with other assessment methods, involving human intervention.

How to make a complaint

WDH hope that its Data Protection Officer / Information Governance team can resolve any query or concern you raise about our use of your information. If not, you can contact the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/> or phone 0303 123 1113 for further information about your rights and how to make a formal complaint.