

## GDPR Applicant Fair Processing Notice

<b>MONITORING FORM</b>	
Department	Human Resources
Department Director	Human Resources Director
This policy is applicable to	Applicants
Author / Owner	Human Resources Director
Original Version approved by & date	
Date of last review	
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Date of next review	2020
Internal /external consultees (if required.	

## **1. INTRODUCTION**

This notice explains what information we collect from you as an applicant, when we collect it how we use this and how long we keep it for. We recognise the need to treat your personal data (which may be held on paper, electronically, or otherwise) in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

Weslo Housing Management (WHM) and Weslo Property Management (WPM) are committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and adhere to guidelines published in the [Data Protection Act of 1998] and the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted. We collect and use personal data for a variety of reasons.

Both WHM and WPM are notified as a Data Controllers with the Office of the Information Commissioner under registration number ZA029223 and Z4942312 respectively and are the data controllers of any personal data that you provide to us.

From the point at which we receive your application for employment with the Weslo Housing Management or Weslo Property Management we will need to maintain and process data about you for the purposes of reaching and communicating a recruitment decision and production of an offer of employment if appropriate. Such data is normally retained for six months following completion of our recruitment processes in the event of an offer of employment not being made.

Should an offer be made a further fair processing notice will be provided alongside any offer covering how such data is used and stored during the processing of offers and subsequent employment.

## **2. WHAT INFORMATION DO WE GATHER**

Processing at the recruitment stage includes the collection, storage, retrieval, alteration, disclosure or destruction of data. The kind of data that Weslo Housing Management will process includes:

- Name, Address, Telephone Number and email addresses;
- Interview details including notes of interviewers, dates and times;
- Candidate's work history;
- Qualifications and experience;
- Whether or not you have a disability for which the

company needs to make reasonable adjustments during the recruitment process;

- Information about your entitlement to work in the UK for example copies of passports, ID cards, residence permits and documents to confirm identity and address for example utility bills, bank statements; and
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief;
- Criminal record checks ;
- References provided by previous employers and personal or educational referees;
- Health Information - if the company needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment;
- Conflicts of Interest;
- Rights to work information.

### **3. WHY DO WE PROCESS PERSONAL DATA?**

The company needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the company 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 company 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 company to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The company may also need to process data from job applicants to respond to and defend against legal claims.

Where the company processes other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equal opportunities monitoring with the explicit consent of job applicants, which can be withdrawn at any time.

For some roles, the company 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.

The organisation will not use your data for any purpose other than the recruitment exercise for which you have applied.

#### **4. WHO HAS ACCESS TO YOUR DATA?**

Your information will be shared internally for the purposes of the recruitment exercise. This includes recruitment team, 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.

The company will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and Disclosure Scotland to obtain necessary criminal records checks.

The company will not transfer your data outside the European Economic Area.

#### **5. HOW DOES THE ORGANISATION PROTECT DATA?**

The company 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.

#### **6. FOR HOW LONG DOES THE ORGANISATION KEEP DATA?**

If your application for employment is unsuccessful, the organisation 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 periods for which your data will be held will be provided to you in a new privacy notice.

#### **7. YOUR RIGHTS**

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

- Access and obtain a copy of your data on request;
- Require the organisation to change incorrect or incomplete data;

- Require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- Object to the processing of your data where the company is relying on its legitimate interests as the legal ground for processing; and
- Ask the organisation to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the organisation's legitimate grounds for processing data.

[If you would like to exercise any of these rights, please contact [corporate.services@weslohm.co.uk](mailto:corporate.services@weslohm.co.uk) or write to:

Corporate Services Department,  
64 – 66 North Bridge Street,  
Bathgate  
EH48 4PP

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner.

## **8. WHAT IF YOU DO NOT PROVIDE PERSONAL DATA?**

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

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.

## **9. AUTOMATED DECISION-MAKING**

Recruitment processes are not based solely on automated decision-making.