

## **DATA PRIVACY NOTICE FOR RECRUITMENT**

### **1. Why have you been given this privacy notice?**

Say It With Your Chest CIC is a “data controller”. This means we are required under data protection legislation to notify you of how we will collect, process and store your personal data during the application and recruitment process. We will also explain what rights you have in relation to how we process your personal data. This privacy notice applies to potential volunteers, employees, freelancers and contractors.

### **2. What are our obligations to you in relation to how we process your personal data?**

We are required by law to ensure that when processing any of your personal data that it is:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept in a form which permits you to be identified for only as long as necessary for the purposes we have told you about.
- Kept securely.

### **3. What personal data will we collect, use and store about you?**

In order to process your application we will collect the following information about you:

- your name, address and contact details (including email address and telephone number);
- details of your qualifications, skills, experience and employment history;
- information about your entitlement to work or volunteer in the UK;
- application form, cover letter and CV;
- notes from your interviews;
- details of your referees;
- self-disclosure form;
- information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers;
- information regarding your criminal record.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Whether or not you have a disability for which the organisation needs to make reasonable adjustments for during the recruitment process.

#### **4. How do we collect your personal data?**

We will collect this information from a range of sources, which will include your application form, CV, your passport or other identity documents, or information provided directly by you through interviews or other forms of assessment.

The organisation will also collect personal data about you from third parties, such as references supplied by former employers and information from the Disclosure and Barring Service. From third parties e.g recruitment agencies and job boards.

#### **5. How will we use your personal data?**

Throughout the recruitment process we will need to process your personal data for one or more of the following lawful bases:

- a) Where we need to process your personal data to take specific steps at your request before entering into a contract/agreement with you or we need to process data to enter into a contract/agreement with you. This may include making reasonable adjustments to the recruitment process to accommodate disabilities as and when requested.
- b) Where we need to process your personal data to comply with a legal obligation, for example if your application is successful we will check your right to work or volunteer in the UK before a job offer or volunteering position is offered to you.
- c) Our legitimate reason for processing your personal data is to enable us to gather data so that we can assess which candidate’s skills and experience is the best match with our job role/ volunteering requirements and therefore suitable for employment or volunteering. We also need to process job applications/ volunteer applications in order to respond to and defend against legal complaints. We will process your personal data for these legitimate reasons provided that your interests and fundamental rights do not override those interests.
- d) Where we need to protect your interests or someone else’s interests.
- e) Where it is needed in the public interest or for official purposes.

#### **6. When will we use your personal data?**

During the application and recruitment process and for a short period after the recruitment process, we will use your personal information for specific purposes. Say It With Your Chest will not use your data for any purpose other than recruitment purposes.

#### **7. What happens if you do not provide us with information?**

We will only ask you to provide information which we believe is necessary for the application and recruitment process. You are under no statutory or contractual obligation to provide data during the recruitment process. However, if you do not provide sufficient information, we may

not be able to process your application properly or at all. Also we may not be able to meet our legal obligations towards you with regards to reasonable adjustments.

#### **8. What happens if we need to use your personal data for a new purpose?**

We have indicated above a list of circumstances in which we will use your data. We will usually only use your personal data as indicated. However, if we consider that it is necessary and reasonable to use your personal data for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

#### **9. How do we use your special categories information?**

Any personal data which reveals your health will be regarded as special categories of personal data. We will only use this data in the following ways:

- In order to comply with employment and other laws to ensure that the recruitment process is conducted in a fair and inclusive manner.
- To ensure we meet our health and safety and equality obligations towards you we will use information about your physical or mental health or disability status to make appropriate reasonable adjustments to the recruitment process.

There may be circumstances where we need to process this type of information for legal claims or to protect your interests (or someone else's) and you are not capable of giving your consent or where the relevant information has already been made public.

#### **10. Do we need your consent to use special categories data?**

If we are using your personal sensitive data in accordance with the lawful purposes set out in this privacy notice, in these circumstances we do not need your written consent to use sensitive personal data.

However, in limited circumstances, we may request your written consent to allow us to process your sensitive personal data. If it becomes necessary to request your consent to process your sensitive personal data, we will provide you with details of the information that we require and why we need it, so that you can decide whether you wish to provide your consent. It is not a condition of applying for the role with us that you must agree to any request for consent. Giving consent will always be a decision made by your freewill/choice.

#### **11. Criminal convictions**

Given the nature of some of our roles in some circumstances we will request and hold information about criminal convictions. In addition, where applicable we will only request this information if you are successful in your application and where we are legally entitled to do so. Further details on how we handle information relating to criminal convictions and offences are set out in our Recruitment of Ex-Offenders and Data Protection Policies. Further information can be provided by emailing [info@sayitwithyourchest.co.uk](mailto:info@sayitwithyourchest.co.uk) and requesting to see them.

## **12. Automated decision making**

During the application and recruitment process we will not rely on any automated decision making.

## **13. Will we share your personal data with third parties?**

We will not share your data with third parties, unless your application for employment or volunteering is successful.

### **Which third party service providers will we share your personal data with?**

- Former employers to obtain references for you
- The Disclosure and Barring Service to obtain necessary criminal records checks, where applicable

## **14. Third party service providers and data security**

Third party service providers are only permitted to process your personal data in accordance with our specified instructions. They are also required to take appropriate measures to protect your privacy and personal information. We do not allow your information to be used by third parties for its own purposes and business activities.

## **15. Will we transfer your personal data outside of the European Economic Area?**

The organisation in some circumstances will transfer your data outside the European Economic Area. This will be via our cloud storage system Google Drive, however Google has security measures in place to safeguard your data as they use privacy shields. To read more about privacy shields please visit [Data transfer frameworks – Privacy & Terms](#)

## **16. How do we ensure your personal data is secure?**

We take your privacy and protection of data very seriously. Consequently, we have put in place appropriate security measures to prevent unauthorised use of your personal data. We will notify you and any applicable regulator of any suspected unauthorised use of your personal data.

## **17. How long will we keep your personal data?**

We will retain your personal data for as long as is necessary to fulfil the purposes for which it was collected for. If your application is unsuccessful, we will hold your data on file for six months after the end of the relevant recruitment process. If your application is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your time at Say It With Your Chest and this information will be kept for six years after you leave.

## **Where will your information be held?**

Information may be held at our office, third-party agencies and service providers.

## **18. Your duty to inform us of any changes**

In order that we can ensure that the personal data we hold in relation to you is accurate, it is important that you keep us informed of any changes to that data.

## **19. What rights do you have in respect of how we use your personal data?**

Subject to legal limitations you have the right to:

- **Request access to your data:** You can ask us to provide a copy of the personal data we hold about you.
- **Request corrections to be made to your data:** If you think that your personal data is incomplete, inaccurate you can ask us to correct it.
- **Request erasure of your data:** If you consider there is no lawful basis for us to continue processing your data you can ask for that data to be deleted or removed.
- **Object to the processing of your data:** If our lawful basis for processing your data relates to a legitimate business interest (or third party interest) you can raise an objection to that interest. You can also object to us using your information for direct marketing purposes.
- **Request that processing restrictions be put in place:** If you believe that your information is being processed without a lawful reason or that the information is incorrect you can request that a freeze/restricting is placed on the processing of the information until your concerns are addressed.
- **Request a transfer of your personal data:** You can ask us to transfer your personal data to a third party.

If you wish to exercise any of the above rights please contact Sabrina Jones, [info@sayitwithyourchest.co.uk](mailto:info@sayitwithyourchest.co.uk)

## **20. Will I have to pay a fee?**

You will not be expected to pay a fee to obtain your personal data unless we consider that your request for access to data is unfounded or excessive. In these circumstances we may charge you a reasonable fee or refuse to comply with your request. We may also charge a reasonable fee where we have supplied a copy of your personal data and you then request another copy of the same information.

## **21. Before we comply with your request**

Whenever you make a request for access to personal data, to ensure that we are releasing personal data to the correct person we may ask questions to confirm your identity.

## **22. Right to withdraw your consent**

If we have asked for your written consent to obtain information, you have the right to withdraw your consent at any time. To withdraw your consent please contact Sabrina Jones [info@sayitwithyourchest.co.uk](mailto:info@sayitwithyourchest.co.uk). Once we receive your notice of withdrawal we will cease processing your data unless we have any other lawful basis on which to continue processing that data.

## **23. Important information about this privacy notice**

This notice does not form part of any contract of employment or any other contract to provide services. We reserve the right to amend or update this privacy notice at any time. We will provide you with a new notice when we make any updates.

## **24. How to complain**

We hope that we can resolve any query or concern you raise about our use of your information please contact us by emailing Sabrina Jones on the email address [info@sayitwithyourchest.co.uk](mailto:info@sayitwithyourchest.co.uk). If you are unsatisfied with our response you can, contact the Information Commissioner at <https://ico.org.uk/concerns/> or via telephone: 0303 123 1113 for further information about your rights.