



Privacy Notice for Job Applicants

Introduction

Inverness City Centre Business Improvement District (BID) is aware of its obligations under the General Data Protection Regulations (GDPR) and is committed to processing your job applicant data securely and transparently.

This privacy notice sets out, in line with GDPR requirements, the types of data that we will collect and hold in respect of your application. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

It is important that you read this notice so that you are aware of how and why we are using your supplied data.

This notice does not form part of any contract of employment or other contract to provide services and BID reserves the right to update this notice as required at any time.

Data Controller Details

Inverness City Centre BID is a data controller meaning that it determines the processes to be used when processing and using your personal data. Our contact details are as follows: info@inverness.uk.com

Data Protection Principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear and transparent way
- collect your data only for reasons that relate to you seeking employment with us
- only use it in the way we have told you about and for a legitimate reason
- ensure that information and data we keep is correct and up to date as far as possible
- keep your data for only as long as we need it, which in respect of a job application or related data, will usually be for a period of no more than 6 months
- process it in a way that ensures it will not be used for anything that exceeds the remit of being for the purpose of assessing your suitability for or employment with us
- process it in a way that ensures it will not be lost or accidentally destroyed

- any data breach will be reported to the Information Commissioners Office without delay

Types of Data Processed

Personal data or personal information means any information about an individual from which that person can be identified. It does not include data which the identity of an individual is anonymised and where an individual cannot be identified.

As a job applicant, BID will hold many types of data about you, including:

- your personal details including your name, title, address, personal email, and telephone numbers and so forth
- information contained in your application form and provided at interview if your application is shortlisted
- details of your referees and if you are offered employment as may be supplied by your referees
- documentation relating to your right to work in the UK, if applicable

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 may enter into
- in order to carry out legally required duties
- in order for us to carry out our legitimate business 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 rely on the first three reasons set out above to process your data. We need to collect your personal 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 employees who have a disability

We also collect data so that we can carry out activities which are in the legitimate interests of Inverness City Centre BID.

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, we may seek your consent to retain your data for longer in case other suitable vacancies arise. You do not need to agree and there are no consequences to withholding your consent.

Special Categories of Data

There are 'special categories' of more sensitive personal data which require a higher level of protection. Special categories of data is data relating to:

- information about your health, including any medical conditions you may have
- information about your race, ethnicity, religious beliefs or political opinions
- trade union membership
- genetic and biometric data
- other types of special category data as required

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 request details of special category data as part of the recruitment process for the purposes of equal opportunities monitoring but this is processed anonymously. We do not need your explicit consent if we use special categories of personal data in order to carry out our legal obligations or to exercise specific rights or obligations 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 case 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 Convictions Data

You will be asked to complete a Criminal Convictions Declaration Form as part of your pre-employment checks. Some roles may require a criminal record check in the form of a basic disclosure certificate dependent on the role you are applying for.

Information on criminal convictions is required in order to find out whether you have any convictions which may have a bearing on the requirements of the post. If you declare a criminal conviction, or if an unspent conviction is detailed on your basic disclosure certificate, we will discuss this with you in order to determine your suitability for the post, or agree any other measures that may need to be put in place.

We may also ask for further information on criminal convictions during the course of your employment as required.

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, if you do not provide it we may not be able to process your application.

Sharing Your Data

Your data will be shared with colleagues within Inverness City Centre Business Improvement District where it is necessary for them to undertake their duties with regard to recruitment. This includes, for example, the Manager who oversees the BID HR functions, the hiring panel members, any other individuals who are involved in screening your application and interviewing you. Your data may also be required for IT purposes if your application is successful in order to set you up on BID IT systems.

Your data will be shared with third parties if you are successful in your application and an offer of employment is made. In these circumstances, we will share your data in order to obtain references as part of our recruitment process. We may also use your data in order to administer and set up your pension, to obtain a basic disclosure certificate (if applicable) and for benefits provision or for other legal duties.

Protecting Your Data

We are aware of the requirement to ensure your data is protected against accident loss or disclosure, destruction and abuse and we have implemented processes to guard against such instances occurring.

Where we share your data with third parties, we ensure, as far as possible that they are GDPR compliant and that they 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, we will keep your data for six months after the recruitment exercise ends. This includes to allow us to provide you with feedback if requested on your application or to deal with any legal claims made against us. At the end of this period, where your data is no longer required to be retained we will delete or destroy your data unless consent is given to retain it for a longer period.

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 upon your appointment.

Automated Decision Making

No decision about your application, which may have a significant impact on you, will be made solely on the basis of automated decision making – i.e. where a decision is taken about you using an electronic system without human involvement.

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 exercise this right, 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 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 a 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 the Inverness City Centre BID data controller by email at: info@inverness.uk.com or in writing to Inverness City Centre Business Improvement District, 1st Floor, 17 Queensgate, Inverness, IV1 1DF, marking your letter for the 'Data Protection Officer'.

Making a Complaint

The supervisory authority in the UK for data protection matters is the Information Commissioners Office (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.