

# Privacy Notice (Recruitment and Selection)



This notice explains how Phoenix Community Housing Association (referred to in this notice as **we, us** or **our**) collects and uses information during the recruitment and selection process. This notice covers the following:

**What is personal data?**

**How do we collect personal data?**

**What information do we collect?**

**How do we use your information?**

**What is the legal basis that permits us to use your information?**

**How do we share your information?**

**How do we keep your information secure?**

**For how long do we keep your information?**

**Your rights in relation to your information**

**Complaints**

The Table at the end of this notice provides an overview of the data that we collect, the purposes for which we use that data, the legal basis which permits us to use your information and the rights that you have in relation to your information.

We may update this notice from time to time.

**What is personal data?**

Personal data is any information that tells us something about you. This could include information such as your name, contact details, date of birth, and references.

**How do we collect personal data?**

We collect personal data about you from various sources including:

- from you when you contact us directly through the application and recruitment process
- from other people when we check references or carry out background checks – if we do this we will inform you during the recruitment process of the exact checks that are carried out.

**What information do we collect?**

We collect the following categories of information about you:

- Personal contact details such as name, title, address, telephone number and personal email addresses
- Date of birth
- Equal opportunities monitoring information such as gender, race, ethnicity, religion, health and sexual orientation

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- Recruitment information (including copies of right to work documentation, references and other information in your CV or cover letter or otherwise provided as part of the application process)
- Details of next of kin and emergency contacts.

## How do we use your information?

We use your information for the following purposes:

- To make decisions about your recruitment and appointment
- To check you are legally entitled to work in the UK
- To assess your qualifications for a particular job or task
- To conduct data analytics studies to review and better understand job application rates
- To carry out equal opportunities monitoring.

## What is the legal basis that permits us to use your information?

Under data protection legislation we are only permitted to use your personal data if we have a legal basis for doing so as set out in the data protection legislation. We rely on the following legal bases to use your information for employment/engagement related purposes:

- Where we need information to enter into a contract with you
- Where we need to comply with a legal obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

The Table at the end of this notice provides more detail about the information that we use, the legal basis that we rely on in each case and your rights.

Some information is classified as "special" data under data protection legislation. This includes information relating to health, racial or ethnic origin, religious beliefs or political opinions, sexual orientation and trade union membership.

This information is more sensitive and we need to have further justifications for collecting, storing and using this type of personal data. There are also additional restrictions on the circumstances in which we are permitted to collect and use criminal conviction data.

We may process special categories of personal data and criminal conviction information in limited circumstances with your explicit consent, in which case we will explain the purpose for which the information will be used at the point where we ask for your consent.

## How do we share your information?

We share your personal data in the following ways:

- Where we use third party services providers who process personal data on our behalf in order to provide services to us. This includes recruitment agents and IT systems providers.

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- We will share your personal data with third parties where we are required to do so by law or to comply with our regulatory obligations.
- With other entities in our group as part of our regular reporting activities and in the context of a business reorganisation or group restructuring exercise.
- If we sell any part of our business and/or integrate it with another organisation your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers.

Where we share your personal data with third parties we ensure that we have appropriate measures in place to safeguard your personal data and to ensure that it is solely used for legitimate purposes in line with this privacy notice.

### **How do we keep your information secure?**

Your personal data is kept securely in restricted folders. We will ensure access to personal data is restricted to employees working within our group on a need to know basis. Training will be provided to any employees working within the group who need access to your personal data to ensure it is secured at all times.

### **For how long do we keep your information?**

As a general rule we keep personal data about candidates for the duration of the recruitment and selection process and for a period of six months after candidates have been notified whether their application has been successful. However, where we have statutory obligations to keep personal data for a longer period or where we may need your information for a longer period in case of a legal claim, then the retention period may be longer.

### **Your rights in relation to your information**

You have a number of rights in relation to your personal data, these include the right to:

- be informed about how we use your personal data
- obtain access to your personal data that we hold
- request that your personal data is corrected if you believe it is incorrect, incomplete or inaccurate
- request that we erase your personal data in the following circumstances:
  - if we are continuing to process personal data beyond the period when it is necessary to do so for the purpose for which it was originally collected
  - if we are relying on consent as the legal basis for processing and you withdraw consent
  - if we are relying on legitimate interest as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us to continue with the processing
  - if the personal data has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation)
  - if it is necessary to delete the personal data to comply with a legal obligation.

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- ask us to restrict our data processing activities where you consider that:
  - personal data is inaccurate
  - our processing of your personal data is unlawful
  - where we no longer need the personal data but you require us to keep it to enable you to establish, exercise or defend a legal claim
  - where you have raised an objection to our use of your personal data
- request a copy of certain personal data that you have provided to us in a commonly used electronic format. This right relates to personal data that you have provided to us that we need to take steps to enter into a contract with you and personal data where we are relying on consent to process your personal data
- object to our processing of your personal data where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal data;
- not be subject to automated decisions which produce legal effects or which could have a similarly significant effect on you.

If you would like to exercise any of your rights or find out more, please contact us at [info@phoenixch.org.uk](mailto:info@phoenixch.org.uk)

The Table at the end of this notice provides more detail about the information that we use, the legal basis that we rely on in each case and your rights.

### Complaints

If you have any complaints about the way we use your personal data please contact People Services who will try to resolve the issue. If we cannot resolve your complaint, you have the right to complain to the Information Commissioner.

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**Table: quick check of how we use your personal data**

Purpose	Data used	Legal basis	Which rights apply?*
Recruitment decisions	Personal contact details, national insurance number, recruitment information, employment/engagement records, and compensation history.	Legitimate interests. It is in our legitimate interests to evaluate whether you have the necessary skills and qualities to perform the relevant role.	The generally applicable rights <i>plus the right to object</i> .
Right to work checks	Information relating to your right to work status, national insurance number, passport number, nationality, tax status information, and personal contact details.	Legitimate interest. It is in our interests to ensure that those who work for us have the right to work in the UK as well as to establish the statutory excuse to avoid liability for the civil penalty for employing someone without the right to undertake the work for which they are employed.	The generally applicable rights plus the right to object.
Fraud and crime prevention	Information about criminal convictions and offences committed by you. Identity verification information.	Public interest and legitimate interest. It is in our interests as well as the interest of our candidates/ employees/ workers/ contractors to ensure the prevention of fraud and crime is monitored. This will ensure a safe workplace for all.	The generally applicable rights plus the right to object.
Diversity monitoring	Gender, marital status and dependents and information about your race or ethnicity, religious beliefs, health, sexual orientation.	Public interest.	The generally applicable rights plus the right to object.

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To deal with legal disputes	Personal contact details, references, information submitted as part of the selection process and interview notes.	Legitimate interest. It is in our interests to process personal data to make and defend legal claims to ensure that our legal rights are protected.	The generally applicable rights plus the right to object.
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\*The following generally applicable rights always apply: right to be informed, right of access, right to rectification, right to erasure, right to restriction and rights in relation to automated decision making.