

Privacy notice for job applicants

1. Who we are

Hall For Cornwall (HFC) is a charity and receives funding from Arts Council England, Cornwall Council, the European Regional Development Fund, Cornwall and Isles of Scilly Local Enterprise Partnership and Heritage Lottery Fund, as well as various trusts, foundations and individual donors and supporters. Our registered charity number in England and Wales is 1053028 and we are also registered as a company in England and Wales under registration number 3101443.

2. Purpose of policy

We are committed to protecting your personal information and being transparent about what information we hold about you. This privacy notice applies to all job applicants and prospective candidates for job vacancies. It is non-contractual and does not form part of any employment contract, casual worker agreement, consultancy agreement or any other contract for services.

This privacy policy explains how we collect, use, process and share your personal data and your rights in relation to the personal data we securely hold.

HFC is the data controller for your personal data and is subject to the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR) and the Privacy and Electronic Communications Regulations (PECR). We use your information in accordance with all applicable laws concerning the protection of personal information. This policy explains:

- What information we collect about you.
- How we may use that information.
- In what situations we may disclose your details to third parties.
- Information about how we keep your personal information secure, how we maintain it and your rights to be able to access it.

3. Legal basis for collecting data

The law on data protection sets out a number of different reasons for which an organisation may collect and process your personal data, including:

Consent

In specific situations, we collect and process your data with your consent. You can withdraw your consent at any time.

For example, if you have a disability for which we need to cater during the interview process, we would need you to give us that information with your consent.

Legal obligation

If the law requires us to, we may need to collect and process your data.

For example, some roles require a DBS check. If this is the case, we have legal responsibilities to process this data.

Legitimate interest

In specific situations, we require your data to pursue our legitimate interests in a way which

might reasonably be expected as part of running our business and which does not materially impact your rights, freedom or interests.

For example, running the recruitment process fairly and efficiently, to select the best candidate

Public Interest

Certain processing activities are undertaken in the public interest.

For example, obtaining equality and diversity information.

4. What data we collect, when we collect it and how we process it

HFC collects personal information about job applicants in a variety of ways. It is collected during the recruitment process, either directly from you or sometimes from a third party such as an employment agency. We may also collect personal information from other external third parties, such as references from former employers, information from background check providers, information from credit reference agencies and criminal record checks from the Disclosure and Barring Service (DBS).

Your personal information may be stored in different places, including in your recruitment file, in HFC's HR management system Natural HR, and in other IT systems, such as the e-mail system and our accounting software Pegasus Opera (for expense claims).

LEGAL OBLIGATION - We process these types of personal data because we have a legal obligation to do so. We cannot engage you without this data.

Submitted to HMRC if engaged

- Name
- Address
- Date of birth
- Gender identity
- Start date
- Right to work
- Pension information
- NI number
- Tax code and tax status information

Protection of children and vulnerable adults law (only if engaged and for specific positions)

- DBS information - specific posts only

Under health and safety law

- Signing-in book when you visit our offices

Right to work documentation

- We will need to see identification as proof of your right to work in the UK and these documents will have your name, date of birth, photo, and an ID number. If you cannot provide this personal data, then we will be unable to employ you.

CONTRACT - We process this data as part of the recruitment process as you would like to enter into an employment contract with us. If you do not provide this information, we may not be able to engage you for the role you have applied for.

- Phone number
- Email address
- Start and end dates
- Qualification certificates
- Employment terms and conditions
- Professional membership information
- Bank account details (to process any interview expenses claims)
- Driving licence - specific posts only

LEGITIMATE INTERESTS - We process these types of data because it is a legitimate activity of our organisation.

- References - to determine your suitability for the role
- Reviewing of application form and recruitment documents - to determine your suitability for the role
- Holding your application form or CV for 6 months in the unlikely event of any employment claims
- Storing your data on our systems in order to keep it secure

CONSENT - we only process these types of personal data with your consent and you can withdraw your consent at any time.

- Submitting application form/CV - submitting your application form is a clear affirmative action that you wish to apply for a vacant position
- We will hold your CV for six months in case of any future opportunities for six months, with your consent
- If you require any reasonable adjustments in order to attend for an interview, we will need your explicit consent to process this health information.

PUBLIC INTEREST - the government has determined that processing equality and diversity data is in the public interest.

- We collect and process data for equality and diversity purposes to monitor and improve equal opportunities for all

5. Who has access to your personal information?

Your personal information may be shared internally within HFC, including with members of the HR department, shortlisting and interview panel staff, payroll staff, and IT staff, if access to your personal information is necessary for the performance of their roles.

We share your data with the Home Office, if required, under Right to Work legislation.

Your data will be stored in, and processed by, our software applications.

In the unlikely event of any employment claims, we will share your data with our HR advisors, our solicitors, our insurers, ACAS and the employment tribunal.

6. Security of your personal information

We will treat your data with the utmost care and take all appropriate steps to protect it.

We will not transfer, process or store your data anywhere that is outside of the European Economic Area.

7. For how long does HFC keep your personal information?

Data for those who are unsuccessful in their application will be retained for six months. After this period your paper and digital files will be securely destroyed.

If you would like us to hold your application form or CV for six months in case of any future opportunities, this will be with your consent. It will be securely destroyed after six months.

8. Your rights in connection with your personal information

You have rights in respect of our processing of your personal data which are:

- To access to your personal data and information about our processing of it. You also have the right to request a copy of your personal data (but we will need to remove information about other people).
- To rectify incorrect personal data that we are processing.
- To request that we erase your personal data if:
 - we no longer need it;
 - if we are processing your personal data by consent and you withdraw that consent;
 - if we no longer have a legitimate ground to process your personal data; or
 - we are processing your personal data unlawfully.
- To object to our processing, if it is by legitimate interest.
- To restrict our processing, if it was by legitimate interest.
- To request that your personal data be transferred from us to another company if we were processing your data under a contract or with your consent and the processing is carried out automated means.

If you want to exercise any of these rights, please contact us.

If you have any questions or concerns, please email DPO@hallforcornwall.org.uk as most matters can be resolved informally in the first instance.

You also have the right to lodge a complaint about our processing via the UK's Information Commissioner's Office.