

## **Applicant privacy notice**

### **Data controller: Earthworks St Albans, Hixberry Lane, St Albans**

Earthworks St Albans is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

As part of any recruitment process, Earthworks St Albans collects and processes personal data relating to job applicants. Earthworks St Albans is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

### **Data protection principles**

We will comply with data protection law and principles, which means that your data will be:

- 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 only as long as necessary for the purposes we have told you about.
- Kept securely.

### **Data Protection contact**

Earthworks St Albans has appointed Bianca Badham, CEO as the person with responsibility for overseeing data protection compliance within Earthworks St Albans. They can be contacted at [bianca@earthworksstalbens.co.uk](mailto:bianca@earthworksstalbens.co.uk). Questions about this notice, or requests for further information, should be directed to them.

### **What personal data does Earthworks St Albans collect?**

Personal data is any information about an individual from which that person can be identified. It does not include data where an individual cannot be identified (anonymous data).

Earthworks St Albans collects a range of information about you at different points during the recruitment process. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information obtained through testing, including psychometric tests; and
- information about your entitlement to work in the UK.

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

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

Earthworks St Albans may also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks Earthworks St Albans will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in the organisation's management systems and on other IT systems (including email).

### **How is your personal information collected?**

Earthworks St Albans may collect this information in a variety of ways. For example, data might be collected through application forms or CVs; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of or during employment [such as new starter forms]; from correspondence with you; or through interviews, meetings or other assessments. If you are asked to complete a psychometric profile, it will be generated based on your responses to the questionnaire completed online via software provided by the test designers.

In some cases, Earthworks St Albans may collect personal data about you from third parties, such as CVs from recruitment agencies, references supplied by former employers, employment background check providers, credit reference agencies and information from criminal records checks permitted by law, or from occupational health providers and from medical professionals where relevant.

### **Why does Earthworks St Albans process personal data?**

Earthworks St Albans needs to process data in order to make an assessment of your qualifications, skills and experience related to the job you have applied. It may also need to process your data to enter into a contract with you.

In some cases, Earthworks St Albans 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.

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

Earthworks St Albans may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics with a view to promoting equality of opportunity. It may also collect information about whether or

not applicants are disabled so that reasonable adjustments can be made for candidates who have a disability. Earthworks St Albans processes such information to carry out its obligations and exercise specific rights in relation to employment.

For some roles, Earthworks St Albans is obliged to seek information about criminal convictions and offences. Where Earthworks St Albans 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.

If your application is unsuccessful, Earthworks St Albans may keep your personal data on file in case there are future employment opportunities for which you may be suited. Earthworks St Albans will ask for your consent before it keeps your data for this purpose and you are free to withdraw your consent at any time.

### **Who has access to your data?**

Your information may be shared internally for the purposes of the recruitment exercise. This includes your potential line manager, interviewers involved in the recruitment process, the board of trustees, managers in the business area with a vacancy and IT staff may also have access to the data by virtue of their access to IT systems but would not access the data other than is necessary for the performance of their roles.

Your data may also be shared externally where part of our recruitment activity is outsourced, for example, the HR Services Partnership Ltd who assist us with the administration and management of the recruitment process.

Earthworks St Albans will not share your data with other third parties, unless your application for employment is successful and it makes you an offer of employment. Earthworks St Albans will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

Any providers are required to take appropriate security measures to protect your personal data in line with Data Protection legislation. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Transferring information outside the EEA**

Earthworks St. Albans will not transfer your data to countries outside the European Economic Area.

### **How does Earthworks St Albans protect data?**

Earthworks St Albans takes the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees and trustees in the performance of their duties. Please refer to Earthworks St Albans' internal policies and controls in particular, the Data Protection Policy.

Where Earthworks St Albans engages third parties to process personal data on our behalf, these third parties do so on the basis of written instructions, under a duty of confidentiality

and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

### **For how long does Earthworks St Albans keep data?**

If your application for employment is unsuccessful, Earthworks St Albans will hold your data on file for 6 months after the end of the relevant recruitment process. If you agree to allow Earthworks St Albans to keep your personal data on file, Earthworks St Albans will hold your data on file for a further 6 months for consideration for future employment opportunities. At the end of that period or once you withdraw your consent, 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.

### **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 Earthworks St Albans to change incorrect or incomplete data;
- require Earthworks St Albans to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where Earthworks St Albans is relying on its legitimate interests as the legal ground for processing and there is no overriding legitimate interest to continue this processing.

If you would like to exercise any of these rights, please contact Bianca Badham, CEO at [bianca@earthworksstalbans.co.uk](mailto:bianca@earthworksstalbans.co.uk) .

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

### **What if you do not provide personal data?**

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

### **Automated decision-making**

We do not envisage that any decisions will be taken about using automated means, however we will notify you in writing if this position changes.

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**Acknowledgment**

I,.....[Name], acknowledge that I have read and understood this privacy notice.

Signature:.....

Date:.....