

Privacy Notice

This privacy notice applies to job applicants applying for vacancies with West Berkshire Council.

This document describes how and why we collect, store, protect, process and share personal information about you during and after the recruitment and selection process. This privacy notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

Date of Issue: 23 May 2018

Update History:

Version 1	First issue of a new Privacy Notice
Version 1.1 13 April 2022	Minor amendment to contact details of the Data Protection Officer

Directorate: Resources
Service: Human Resources

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
www.westberks.gov.uk/dpofficer

What data will we collect about you?

The Council collects and processes a range of information about you. This includes:

- your name, address and contact details, including email address and telephone numbers
- your date of birth
- details of your education, qualifications, skills, experience and employment history, including start and end dates
- information about your current level of remuneration, including entitlement to allowances
- details of any gaps in employment and details of any local government continuous service
- details of whether you are a relative or a partner of, or have any close personal relationship with any employee or elected Councillor of the Council
- details of your registration with or membership of any professional bodies required for you to be able to practice in your profession or meet the requirements of the role that you have applied for, and details of any sanctions or restrictions placed upon you that affect your ability to practice in that role
- information about your identity and entitlement to work in the UK
- information about your criminal record where applicable to your role
- whether or not you have a disability for which the Council needs to make reasonable adjustments during the recruitment and selection process
- equal opportunities monitoring information, including information about your gender, whether you are married or in a civil partnership, ethnic origin, sexual orientation, religion or belief, health and disability
- where you have applied for a role that would require you to drive on Council business/ have a lease car we will collect details of your driving licence and any driving offences that you incur

The Council will collect this information in a variety of ways. For example, data might be collected through application forms, obtained from your passport or other identity documents such as your driving licence and qualification certificates, or collected through interviews or other forms of assessment, including on-line tests.

The Council will also collect information about you from third parties, such as references supplied by former employers, other organisations in relation to pre-employment checks, such as registration with professional bodies where a requirement of the role, and information from criminal records checks permitted by law.

What will we use your data for?

The data collected from you when you apply for a role is used solely to manage the recruitment process with respect to the requirements of the role (for instance, we only need information about your driving licence if the role you are applying for involves driving as part of your duties). All of the information we ask for above is used to check

your suitability for the advertised role with a view to potentially entering into a contract of employment.

We don't use this data for any other reason, nor do we sell it to any third parties or use it to contact you about any unrelated services.

Who will see your data?

Your information will be shared internally and seen by authorised Council staff for the purposes of the recruitment and selection exercise. This will include members of HR, the recruiting manager and members of the recruitment panel, managers in the service area with the vacancy and IT staff if access to the data is necessary for performance of their roles.

The Council will share your data with third parties in order to obtain pre-employment checks required for the role. This includes your referees and other organisations such as professional bodies necessary to complete pre-employment checks. Medical checks from our Occupational Health Provider and criminal records checks required for the role, obtained from the Disclosure and Barring Service by a third party organisation, will not be sought until a conditional offer of employment has been made.

Why are we doing this?

The Council processes your data with a view to potentially entering into a contract of employment. The Council has a duty as a public authority to ensure that it runs an efficient and fair recruitment process in the public interest to attract suitable staff, in order to protect public funds.

There are also reasons that the Council needs to process this data by law. For instance The Equality Act 2010 means that the Council has a duty to ensure that no discrimination takes place during recruitment and selection on grounds of "protected characteristics". Clearly, the Council needs to collect the data which relates to the characteristics to ensure (and to be able to show) that it is not treating applicants unfairly as a result.

You are under no statutory or contractual obligation to provide data to the Council during the recruitment and selection process. However, if you do not provide the information, the Council may not be able to process your application properly or at all which will obviously have the potential to disadvantage your chances of success.

You are under no obligation to provide information for equal opportunities monitoring purposes (this is asked for on a separate form to your main application and is retained within HR for monitoring purposes only and does not form part of the selection process.). There are no consequences for your application if you choose not to provide such information.

Recruitment and selection decisions are never based solely on an automated decisionmaking process – there is always human intervention and judgement exercised at the point of a decision.

You can access information about your rights with respect to the data we collect below (see "Your Rights").

How long will your data will be kept?

Your data will not be kept any longer than necessary. Data for successful applicants will be used to enter into an employment contract. A separate privacy notice exists for employees and you can view that on the Council's website (www.westberks.gov.uk/pnemployees). Data for unsuccessful applicants is retained for a period of 12 months from the end of the recruitment exercise and is then securely destroyed.

How is your data stored and processed?

Your data will be held on electronic database designed for use by Human Resources and will be protected using up-to-date technical and organisational security measures.

Transfer overseas

Your data will not be stored or sent outside of the European Economic Area (EEA), with the exception of requests for references where the referees you have provided are outside of the EEA.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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