

## **THCVS Job Applicant and Employee Privacy Notice**

### **What this Notice covers**

Tower Hamlets Council for Voluntary Services (THCVS) is committed to protecting the privacy and security of your personal information.

This Privacy Notice describes how we collect and use personal information about you prior to, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR) and data protection legislation.

It applies to all job applicants, current and former employees, workers and contractors.

### **Identity of the data controller**

THCVS is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### **Categories of personal data we process**

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, personal email addresses; date of birth; gender; marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Start date
- Recruitment information (including copies of right to work documentation, references and other information included in your application or cover letter or as part of the application process)
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- Employment records (including terms and conditions of employment, work history, working hours, training records and professional memberships)
- Compensation history
- Performance information including appraisals and performance improvement plans
- Details of any disciplinary and grievance proceedings you have been involved in
- Details of any leave you have taken including holidays; sickness; family and parental leave.
- Information about your use of our information and communications systems
- Photographs
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Information about your health, including any medical condition, health and sickness records and details of any disability for which we may need to make reasonable adjustments
- Information about criminal convictions and offences

### **Sources of personal data**

We collect personal information about you through the application and recruitment process, either directly from you or from a background check provider, for example a DBA check. We may sometimes collect additional information from third parties including former employers and credit reference agencies.

If your job application is successful, we also collect additional personal information in the course of job-related activities throughout the period you are working for us.

### **Our lawful bases for processing your data**

We will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into 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.

### **Our purposes for processing your data**

- Making a decision about your recruitment or appointment
- Determining the terms on which you work for us
- Checking you are legally entitled to work in the UK
- Paying you and, if you are an employee, deducting tax and National Insurance contributions
- Liaising with your pension provider
- Administering the contract we have entered into with you

- Business management and planning, including accounting and auditing
- Conducting performance reviews, managing performance and determining performance requirements
- Making decisions about salary reviews and compensation
- Assessing qualifications for a particular job or task, including decisions about promotions
- Gathering evidence for possible grievance or disciplinary hearings
- Making decisions about your continued employment or engagement
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with possible legal disputes involving you, or other employees, workers and contractors, including accidents at work
- Ascertaining your fitness to work
- Managing sickness absence
- Complying with health and safety obligations
- To prevent fraud
- To monitor your use of our information and communication systems to ensure compliance with our IT policies
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution
- To conduct data analytics studies to review and better understand employee retention and attrition rates
- Equal opportunities monitoring
- Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information

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

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Recipients of your data may include third-party service providers (such as payroll and pensions providers); other related business entities; a regulator or to otherwise comply with the law.

Where we do so, we will require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **Security of your data**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to

those employees, agents, contractors and other third parties who have a business need to know.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **How we decide how long to retain your data**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

For job recruitment purposes, if your application is unsuccessful, your personal data will be held for up to six months, unless you have given your express permission for us to retain the information for longer.

### **Your rights**

You have the right to:

- **Request access** to, and a copy of, your personal information
- **Request correction** of the personal information that we hold about you
- **Request erasure** of your personal information.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

If you believe we have not complied with your rights, you can complain to the Information Commissioner.

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

If you do not provide personal data, it is likely to be impossible for THCVS to enter into, or to continue with, an employment relationship with you.

### **Automated decision-making**

THCVS may make use of electronic automated decision-making systems. We would only do so in the following circumstances:

- where we have notified you of the decision and given you 21 days to request reconsideration.
- where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- in limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

THCVS recruitment decisions are not made using automated decision-making systems and our employment decisions are not based solely on automated decision-making.

### **Changes to this Privacy Notice**

THCVS reserves the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice or how we handle your personal information, please contact the CEO at [peter.okali@thcvs.org.uk](mailto:peter.okali@thcvs.org.uk)