

RASASH Privacy Notice: Recruitment

What is a privacy notice?

Rape and Sexual Abuse Services Highland (“**RASASH**”) wants to ensure you understand our processing of your personal data. We are also required by data protection regulation to explain certain matters to you. This notice sets out that information.

This privacy notice tells you what to expect when RASASH collects personal information about job applicants and our current and former employees. For the avoidance of doubt, this privacy notice does not form part of any employees’ contract of employment, and we may update it at any time.

The categories of information that we collect and hold include:

- Personal information (such as name and address, date of birth, contact details, immigration status, next of kin, and bank details);
- Employment information (such as supervision sessions, performance, disciplinary and grievance information, sickness absence records) qualification, training and learning records);
- Information in relation to payroll and tax (such as tax records, national insurance, sick pay and maternity pay information)

We may also collect, store, and process the following "special categories" of more sensitive personal information as well as any details of any criminal convictions in order to exercise rights and obligations under employment law or for reasons of substantial public interest:

- Any trade union memberships you hold;
- Information about your health, including your sickness absence records;
- Ethnicity, religion, political beliefs, sexual orientation etc. (equal opportunities monitoring)

In particular, we may collect, store, and process these types of information in order to carry out equal opportunities monitoring, manage your sick leave (for employees), implement health and safety or security measures and any other legitimate purpose.

How and why will we use your personal information?

We need to use your personal information to administer your employment position. In most cases, we will use your personal information to perform your contract, to comply with our legal obligations, or where necessary for RASASH’s legitimate interests. In rare cases, we may need to use your personal information to protect your (or someone else’s) best interests or if it is in the public interest for us to do so.

The situations in which we will commonly use employees’ personal information include:

- Recruitment and the terms and conditions of your employment;
- Administering your pay and benefits;

- Managing your holiday, sick leave, and any other absences including family leave;
- Appraising and managing your performance and providing you with training;
- Dealing with disciplinary matters and any grievance raised by or involving you;
- Making decisions about your continued employment and your terms and conditions
- Carrying out equal opportunities monitoring;
- Implementing health and safety regulation or security measures;
- Providing evidence of the work we have carried out to our funders;
- Managing and planning the running of our organisation;
- Ensuring compliance with our rules and processes, for example: use of our IT systems, including email, internet and intranet, organisation mobile and landline phones, computers and tablets to gather evidence in respect of any potential wrongdoing.

RASASH's relevant legitimate business interests include:

- Recruitment and succession planning;
- Complying with our regulatory obligations;
- Ensuring that appropriate information is provided to funders;
- The organisation and distribution of work;
- Management forecasting;
- Promoting equality and diversity in the workplace;
- Ensuring health and safety in the workplace;
- Protection of RASASH property and property belonging to third parties;
- Maintaining an efficient employee benefits program; and
- Maintaining a well-managed and orderly workforce and organisation.

We are guided by the principle that you should not be surprised by any use we make of your personal information.

Your personal data will only be retained for as long as is reasonably necessary. What this means in practice will vary depending on the types of information. When we consider our approach we take into account any ongoing need for the information, as well as our legal obligations for example in relation to tax, health and safety, employment rights, and potential or actual disputes or investigations.

All employee personal information will be deleted at the end of the reasonably necessary period. You have the right to make a complaint to the ICO and to seek to seek to enforce this right through a judicial remedy.

Job applicants

RASASH is the data controller for the information you provide during the process unless otherwise stated.

What will we do with the information you provide to us?

The information you provide during the recruitment process will only be used for the purpose of progressing your application, equal opportunities monitoring, and to fulfil legal or regulatory requirements.

We will not share any of the information you provide during the recruitment process with third parties or store any of your information outside of the European Economic Area. The information you provide will be held securely by us whether the information is in electronic or physical format.

We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

What information do we ask for, and why?

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.

The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for, but it might affect your application if you do not.

Application stage

We ask you for your personal details including name and contact details. We will also ask you about your previous experience, education, referees, and for answers to questions relevant to the role you have applied for. Our recruitment team will have access to all this information.

You will also be asked to provide equal opportunities information. This is not mandatory information; if you don't provide it, it will not affect your application. This information will not be made available to any staff outside of our recruitment team, including hiring managers, in a way which can identify you. Any information you do provide, will be used only to produce and monitor equal opportunities statistics.

Shortlisting

Our recruitment panel shortlist applications for interview. They will not be provided with your name or contact details or with your equal opportunities information (if you have provided it).

Assessments

We might ask you to participate in assessment days, complete tests, or occupational personality profile questionnaires and/or to attend an interview, or a combination of these. Information will be generated by you and by RASASH. For example, you might complete a written test or we might take interview notes. This information is held by RASASH.

Conditional offer

If we make a conditional offer of employment we will ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom, seek assurance as to their trustworthiness, integrity, and reliability, for undertake PVG or Disclosure Scotland checks.

You will therefore be required to provide:

- Proof of your identity – you will be asked to attend our office with original documents,

we will take copies.

- Proof of your qualifications – you will be asked to attend our office with original documents, we will take copies.
- If necessary for your role you will be asked to complete a criminal records declaration to declare any unspent convictions. Depending upon the role you may be asked to complete a PVG or Disclosure Scotland application.
- We will contact your referees directly, using the details you provide in your application, to obtain references.

If we make a final offer, we will also ask you for the following:

- Bank details – to process salary payments; and
- Emergency contact details – so we know who to contact in case you have an emergency at work.

How long is the information retained for?

Your personal data will only be retained for as long as is reasonably necessary. What this means in practice will vary depending on the types of information. When we consider our approach, we take into account any ongoing need for the information, as well as our legal obligations for example in relation to tax, health and safety, employment rights and potential or actual disputes or investigations. All employee personal information will be deleted at the end of the reasonably necessary period. You have the right to make a complaint to the ICO and to seek to seek to enforce this right through a judicial remedy.

If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for 6 months from the closure of the recruitment process. This will include interview notes and assessments. Equal opportunities information is retained in an anonymised format.

How we make decisions about recruitment?

Final recruitment decisions are made by members of the recruitment panel. If you have any questions regarding the decision-making process, you can contact the recruitment team.

Your rights

You have certain rights in relation to the personal data which we process about you:

- You have the right to be provided with clear, transparent and easily understandable information about how we use your personal data and your rights; this is why we are providing you with this privacy notice;
- You can request to access your personal data.
- Where we hold data that is inaccurate, you can ask us to complete or rectify this.
- You have the right to restrict some processing of your personal information, which means that you can ask us to limit what we do with it;
- You can object to us processing your personal information in certain circumstances, including where we are using it for the purpose of RASASH's legitimate business interests as set out above;
- You also have the right to complain – please see below.

Complaints or queries

RASASH tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading, or inappropriate. We would also welcome any suggestions for improving our procedures.

Employees can raise any concerns informally through their line manager or formally by raising a grievance. Job applicants and volunteers can raise concerns or ask questions using the contact details below.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of RASASH's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below.

If you are unhappy with our response, you can complain to the ICO in their capacity as the statutory body which oversees data protection law – www ICO.org.uk/concerns.

Access to personal information

RASASH tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request'. If we do hold information about you we will:

- Give you a description of it;
- Tell you why we are holding it;
- Tell you who it could be disclosed to; and
- Let you have a copy of the information in an intelligible form.

Written requests can be made to RASASH for any personal information on the address below: info@rasash.org.uk

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need in a meeting.

Disclosure of personal information to third parties

We share personal data in the form of name, address, bank details and tax/NI/sickness absence/family leave with our payroll and auditing administrators (Frame and Kennedy and Ritsons). We have an information sharing agreement with them.

We may also share your personal data with:

- Our professional advisers, such as our accounting and legal advisers, where they require that information in order to provide advice to the Company;
- Our pension providers, for the purposes of administering your pension and complying with our legal obligations;
- HM Revenue & Customs and any other regulatory authority we may be subject to for

- the purpose of demonstrating compliance with applicable law and regulations; and
- Such third parties as we reasonably consider necessary in order to prevent crime, such as the police.

Changes to this privacy notice

We keep our privacy notice under regular review and updated every three years. This privacy notice was last updated on October 2022.

How to contact us

If you have any questions or concerns about any information in this privacy notice, you should contact our representative on data privacy issues.

Romy Rehfeld
RASASH Manager
romy@rasash.org.uk

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Contact details	No	Contacting applicants	Professional advisors	Legal obligation Legitimate interests	N/A	6 months post-application
Age range	No	Equal opportunities monitoring	Professional advisors	Legal obligation Legitimate interests	N/A	6 months post-application
Gender	Yes	Equal opportunities monitoring	Professional advisors	Legal obligation Legitimate interests	Employment purposes Conduct of legal claims	6 months post-application
CV	No	Making recruitment decisions / ascertaining ability to work	N/A	Legal obligation Legitimate interests	N/A	6 months post-application
Right to work documents	Yes	Checking right to work in the UK	Professional advisors	Legal obligation Legitimate interests	Employment purposes Conduct of legal claims	6 months post-application
Qualifications	No	Making recruitment decisions / ascertaining ability to work	Professional advisors	Legal obligation Legitimate interests	N/A	6 months post-application
Employment history	No	Making recruitment decisions / ascertaining ability to work	N/A	Legal obligation Legitimate interests	N/A	6 months post-application
Information about disability	Yes	Health and safety requirements / ascertaining fitness to work	Professional advisors	Legal obligation Legitimate interests	Employment purposes Conduct of legal claims	6 months post-application
Professional memberships	No	Education, training and development requirements	N/A	Legal obligation Legitimate interests	N/A	6 months post-application

APPLICANT DATA						
Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Health records	Yes	Ascertaining fitness to work	Professional advisors	Legal obligation Legitimate interests	Employment purposes Conduct of legal claims	6 months post-application
Disclosure Scotland Certificates (including details of criminal convictions and offences)	Yes	Making decisions about recruitment Continued employment	Disclosure Scotland Professional advisors	Legal obligation Legitimate interests	Employment purposes Conduct of legal claims	6 months from date of certificate