



Privacy notice for Job Applicants

In accordance with the General Data Protection Regulation (GDPR), Givin' it Laldie of 1 Errol Gardens, Glasgow, G5 0RA has implemented this privacy notice to inform you, as prospective employees of our Organisation, of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

Data protection principles

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- processing is fair, lawful and transparent
- data is collected for specific, explicit, and legitimate purposes
- data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- data is not kept for longer than is necessary for its given purpose
- data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- we comply with the relevant GDPR procedures for international transferring of personal data.

Types of data held

Personal data is any information about an individual from which that person can be identified. It does not include anonymous data which does not identify the individual.

We collect, store and use several categories of personal data on our prospective employees to carry out effective and efficient processes. We keep this data in recruitment files relating to each vacancy and we also hold the data within our computer systems, eg recruitment logs. It is your responsibility to keep us up to date with any changes to your personal details so that we can make sure that your personal data is accurate. If your personal details change, you must notify us by emailing givin.it.laldie@gmail.com.

Specifically, we collect, store and use the following types of data:

- personal details such as names, previous names, title, address, phone numbers, email address, date of birth



- terms and conditions of your employment
- right to work documentation
- references from former employers
- details on your education and employment history, etc
- information gathered via the recruitment process such as the information you provide in your application
- information about your remuneration, including entitlement to benefits such as pensions;
- any requested access requirements for the application process.
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your criminal record;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and other leave, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, supervision notes, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which we need to make reasonable adjustments; and
- Information on your gender, race, religion, socio-economic background and other information for equality monitoring purposes. This information will be stored separately and will not be used to assess your application.

Collecting your data

You provide several pieces of data to us directly during the recruitment exercise.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references or credit reference agencies.

Should you be successful in your job application, we will gather further information from you, e.g. your bank details and next of kin details, once your employment begins.

Why do we process personal data?

We need to process data to enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer pensions and other benefits.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to check an employee's entitlement to work in the UK, to deduct tax, to enrol you in a pension scheme if eligible, to



comply with health and safety laws and to enable employees to take periods of leave to which they are entitled. For certain positions it is necessary to carry out criminal records checks to ensure that individuals are permitted to be engaged in such a role.

In other cases, we have a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Processing employee data allows us to:

- run recruitment processes;
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management;
- ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to ensure that we comply with duties in relation to leave entitlement,;
- ensure effective general HR and business administration;
- provide references on request for current or former employees;
- maintain and promote equality in the workplace and
- respond to and defend against legal claims.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out employment law obligations (such as those in relation to employees with disabilities).

Where we process other special categories of personal data, such as information about ethnic origin, gender identity or religion or belief, this is done for the purposes of equal opportunities monitoring. This is to carry out our obligations and exercise specific rights in relation to employment.



Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data.

We carry out processing activities using special category data:

- for the purposes of equal opportunities monitoring
- to determine reasonable adjustments.

Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

Failure to provide data

Your failure to provide us with data may mean that we are unable to fulfil our requirements for entering a contract of employment with you. This could include being unable to offer you employment or administer contractual benefits.

Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data to determine your suitability, or your continued suitability for the role. We rely on the lawful basis of 'processing is necessary for compliance with a legal obligation to which the controller is subject to process this data.'



Who we share your data with

Employees within our organisation who have responsibility for recruitment will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processed in line with GDPR.

We share your data with third parties in order to obtain pre-employment references from other employers, and obtain necessary criminal records checks from Disclosure Scotland. We may also share your data with third parties in the context of seeking legal or HR advice, or a transfer or sale of some or all of the service. In those circumstances the data will be subject to confidentiality arrangements and/or anonymised.

We also share your data with third parties that process data on our behalf, in connection with payroll, the provision of benefits (e.g pension) and the provision of occupational health services.

The third parties who will process your personal data for this purpose are:

- Scottish Training Foundation - payroll services
- Brett Nicholls - accounting support
- People's Pension

We may also share your data with third parties as part of the organisation sale or restructure, or for other reasons to comply with a legal obligation upon us.

We have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

Retention periods

We only keep your data for as long as we need it for, which, in relation to unsuccessful candidates, is six months to a year.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for six months once the recruitment exercise ends.



If we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for nine months once the recruitment exercise ends. At the end of this period, we will delete or destroy your data, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data and there will be no consequences of withdrawing consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

Automated decision making

Automated decision-making means making decisions about you using no human involvement, e.g. using computerised filtering equipment. No decision will be made about you solely based on automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights

You have the following rights in relation to the personal data we hold on you:

- the right to be informed about the data we hold on you and what we do with it
- the right of access to the data we hold on you. We operate a separate Subject Access Request policy and all such requests will be dealt with accordingly
- the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as “rectification”
- the right to have data deleted in certain circumstances. This is also known as “erasure”
- the right to restrict the processing of the data
- the right to transfer the data we hold on you to another party. This is also known as “portability”
- the right to object to the inclusion of any information
- the right to regulate any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.



If you wish to exercise any of the rights explained above, please contact Clare McBrien at givin.it.laldie@gmail.com

Making a complaint

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 524510.

Data protection compliance

Our appointed compliance officer in respect of our data protection activities is:

Clare McBrien
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