

## **CNPA Privacy Notice for Job Applicants**

**Data controller: Cairngorms National Park Authority, 14 The Square, Grantown-on-Spey, PH23 1HG**

**Contact : Pip Mackie, HR Officer**

**Telephone : 01479 873535**

### **Data protection officer: Harper Macleod LLP**

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

### **What information does the Authority collect?**

The Authority collects a range of information about you. 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;
- whether or not you have a disability for which the Authority needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief

The Authority collects this information in a variety of ways. For example, data might be contained in application forms, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

The Authority will also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks. The Authority 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 HR management systems and on other IT systems (including email).

### **Why does the Authority process personal data?**

The Authority needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

In some cases, the Authority 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.

The Authority processes personal data before, during and after the end of the employment relationship, in terms of the performance of contract (including taking steps in terms of recruitment), and under employment law, including to allow the Authority to exercise its

rights and obligations under employment law. Processing data from job applicants allows the Authority to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Authority may also need to process data from job applicants to respond to and defend against legal claims.

Where the organisation relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.

The Authority processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the Authority processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

For some roles, the Authority is obliged to seek information about criminal convictions and offences. Where the Authority 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.

The Authority will not use your data for any purpose other than the recruitment exercise for which you have applied.

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

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

The Authority will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Authority will then share your data with former employers to obtain references for you and Disclosure Scotland to obtain necessary criminal records checks.

The Authority will not transfer your data outside the European Economic Area.

### **How does the Authority protect data?**

The Authority takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

We store our data electronically on servers. The employee records have access restrictions meaning only HR staff are able to view and process it. Physical records are stored in the HR office which is locked and within locked filing cabinets.

### **For how long does the Authority keep data?**

If your application for employment is unsuccessful, the Authority will hold your data on file for **two years** after the end of the relevant recruitment process. At the end of that period 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.

We may keep data longer to safeguard the Authority in the event of any claims, complaints, litigation, enquiries and investigations.

### **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 the Authority to change incorrect or incomplete data;
- require the Authority to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Authority is relying on its legitimate interests as the legal ground for processing; and
- ask the Authority to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Authority's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact Pip Mackie, HR Officer.  
Email: [pipmackie@cairngorms.co.uk](mailto:pipmackie@cairngorms.co.uk).

You can make a subject access request by contacting the following e-mail address:  
[data@cairngorms.co.uk](mailto:data@cairngorms.co.uk).

If you believe that the Authority 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 the Authority during the recruitment process. However, if you do not provide the information, the Authority may not be able to process your application properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

**February 2020**