Candidate Privacy Notice

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1. Introduction

This Privacy Notice has been issued to you in accordance with the General Data Protection Regulation (**GDPR**) because you are applying for work with Active Sussex (**Trust**). The Trust is a 'data controller' which means that it is responsible for making decisions about how to hold and use your personal data. This notice sets out how and why your personal data will be used in connection with the recruitment process and how long it will be kept for, along with certain other information that must be provided under the GDPR.

2. Data Protection Principles

The Trust will comply with the data protection principles set out in the GDPR which means that your data will be:

- used lawfully, fairly and transparently;
- collected only for valid purposes that the Trust has clearly explained to you;
- relevant to the purposes the Trust has told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes the Trust has told you about; and
- kept securely.

3. Personal Data

In connection with your application, the Trust will collect, store and use these types of personal data about you:

- the data you have provided to the Trust in your CV, covering letter and/or application form;
- any data you provide to the Trust during interview; and
- the Trust may also collect, store and use the following 'special categories' of more sensitive personal data:
    - data about your race or ethnicity, religious beliefs, sexual orientation and political opinions;
    - data about your health, including any medical condition and sickness records; and
    - data about criminal convictions and offences for certain roles if assessed suitable to do so.

4. Collection

The Trust collects personal data about candidates from the following sources:

- you, the candidate and your named referees; and
- the Disclosure and Barring Service in respect of criminal convictions if a check is deemed necessary based on the suitability of the role.

5. Using Personal Data

The Trust will use your personal data to assess your skills, qualifications and suitability for the work or role applied for, to carry out background/reference checks, to communicate with you and keep records about the recruitment process and to comply with legal/regulatory requirements. The Trust may also need to process your personal information to decide whether to enter into a contract with you.

Further, it is in the Trust's legitimate interests to decide whether to appoint you to the work or role applied for since it would be beneficial to the Trust's business to appoint someone.

Having received your application form or CV and covering letter, the Trust will process that information to decide whether you should be shortlisted for the work or role applied for. If you are, the Trust will decide whether you should be invited to an interview. If it decides to invite you to an interview, it will use the information provided at the interview to decide whether to offer you the work or role applied for. If it does, it will then take up references and if deemed necessary carry out a criminal record check before confirming your appointment.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

6. Failing to Provide Personal Data

If you fail to provide information which is necessary for the Trust to consider your application when

requested, it will not be able to process your application. For example, if the Trust requires references but you do not provide relevant details, the Trust cannot progress your application.

7. Sensitive Personal Data

The Trust will use your sensitive personal data in the following ways:

The Trust will use data about your disability status to consider whether it needs to provide appropriate adjustments during the recruitment process.

The Trust will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or orientation, to ensure meaningful equal opportunity monitoring and reporting (if such information is obtained as part of the recruitment process).

8. Criminal convictions

The Trust envisages holding information about criminal convictions, but will only collect such information if it is appropriate given the nature of your role and where it is legally able to do so. When assessing the suitability for certain roles The Trust will undertake safeguarding risk assessments and/or require disclosure of data in connection with any criminal convictions.

The Trust has in place appropriate safeguards which it is required by law to maintain when processing such data.

9. Data Sharing

Why might you share my personal information with third parties?

The Trust will only share your personal information with the following third parties for the purpose of processing your application: Lanes HR, Galloways Accountants, Disclosure and Barring Service. All the Trust's third-party service providers and other entities in its group must take appropriate measures to protect your personal data and only process it in accordance with the Trust's instructions. The Trust does not allow service providers to use your personal data for their own purposes.

What about data security?

The Trust has implemented measures to prevent personal data from being accidentally lost or used in an unauthorised way. The Trust limits access to personal data to employees/third parties who have a need-to-know and who are subject to a duty of confidentiality. They will only process personal data on the Trust's instructions and they are subject to a duty of confidentiality.

The Trust has 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 it is legally required to do so.

How long will you use my information for?

The Trust will retain your personal data for a period of six months after it has communicated to you its decision about whether to appoint you to the work or role applied for. The Trust retains your personal information for that period so that it can show, in the event of a legal claim, that it has not discriminated against you. After this period, the Trust will securely destroy your personal data in accordance with applicable laws and regulations.

If the Trust wants to retain your personal information on the basis that a further opportunity may arise in the future, it will write to you separately, seeking your explicit consent to retain your personal data for a fixed period on that basis.

10. Your Rights

Under certain circumstances, by law you have the right to:

- **request access** to your personal data (a data subject access request). This enables you to receive a copy of the personal data the Trust holds about you and to check that the Trust is processing it lawfully;
- **request correction** of the personal data the Trust holds about you;
- **request erasure** of your personal data. This enables you to ask the Trust to delete/remove personal data where there is no good reason for the Trust continuing to process it. You can also ask the Trust to delete/remove your personal data if you have objected to processing, as set out below;'
- **object to processing** of your personal data where the Trust is relying on its or another's legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. You can also object if the Trust processes your personal data for direct marketing;
- **request the restriction of processing** of your personal data. This enables you to ask the Trust to suspend its processing if, for example, you want the Trust to establish the accuracy of the data; and
- **request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to processing or request that the Trust transfer a copy of your personal data to another party, please contact the Data Protection Manager (**DPM**). That post is held by the Insight Officer who can be contacted on 07513702683.

When you applied for this role, you provided consent to the Trust processing your personal data

for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the DPM. Once the Trust has received notification that you have withdrawn your consent, it will no longer process your application and, subject to its data retention policy, will dispose of your personal data securely.

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**). The ICO is the UK's supervisory authority for data protection issues.