

Privacy Notice for Job Applicants & Candidate Account Holders

This privacy notice applies to individuals who apply for employment with Monmouthshire Housing Group or register for a candidate account to receive job alerts and explains:

- What data we collect & why
- What we mean by Special Category personal data
- Our Lawful basis for processing data
- How we collect & process your data
- Who we may share data with
- How we secure your data & how long it is held
- Your individual rights under data protection law

We have updated this notice to reflect changes in data protection legislation, which took effect from 25 May 2018; this document was last updated in February 2021. Any future changes we make to this notice will always be posted here and on our main websites. A paper copy is available on request.

About Monmouthshire Housing Group

Monmouthshire Housing Association is a Registered Social Landlord that manages around 3600 affordable homes in Monmouthshire. Capsel are our wholly owned subsidiary who offer a variety of services to private clients in the commercial sector. Together we comprise the Monmouthshire Housing group (us, we).

As we make decisions about why and how your data is processed under data protection law, we are a “Data Controller” and are registered & regulated accordingly with the Information Commissioners Office (ICO). Our registration number is Z14344. Our Data protection Officer is GDPR Sentry Ltd.

As a Data Controller we are committed to:

- Using your personal data responsibly and in accordance with the UK GDPR and Data Protection Act 2018.
- Collecting and using personal data only where it is necessary and proportionate to do so.
- Deleting personal data that we no longer need.
- Keeping your data safe and secure.
- Having a fundamental focus on privacy when planning and developing new systems and services.
- Being transparent about how we use your personal data and how and why we may sometimes share it with others.
- Making it easy for you to access and correct your personal information.
- Training our staff so your personal information is managed in line with the law.
- Checking that we are adhering to these principles on a regular basis.

What data is collected & why?

If you register with us to receive employment updates & alerts we will collect some basic information from you to enable us to communicate with you about vacancies that you may be interested in. This information will include:

Name, address and contact details and brief details of your current role & preferred job type. Your details will be available to us and we may contact you regarding suitable roles. You can however choose to keep your profile private, this means we will not search your profile or invite you to apply for specific roles. You will still see suggested roles within the candidate account.

To enable us to process your application for employment, assess your suitability for the role and contact you about your application, we will collect the following information:

- 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.
- Disability information.
- Information about your entitlement to work in the UK.
- Information about your ethnic origin, sexual orientation, health, and religion or belief
- Details of any criminal convictions
- CCTV images and car registration details if you visit HQ for an interview
- Images and voice recordings if we offer you a virtual interview
- Notes taken during the interview process
- For certain roles, aptitude testing of cognitive abilities through psychometric testing will be required.

In addition, if your application with us is successful, we will require further information which we will obtain from third party sources:-

- As part of our pre-employment process, we will perform a number of background checks. We use the following provider to handle your data in order to complete the checks on our behalf Complete Background Screening. For information on their privacy policy, please visit www.cbSCREENING.co.uk/
- As part of our process to ascertain suitability of employment we will contact the referees provided by you in your application. We will only do this once a conditional offer of employment has been made. The content of the reference will not be shared without the referee's permission.
- For certain trade operative roles, if your application is successful, we will ask you to complete a pre-employment medical questionnaire. This will be sent directly to our occupational health consultants and not viewed by us. We will

only receive a limited report in return commenting on your suitability or otherwise for the position

Please note this list is not exhaustive and additional details may also be required.

What is meant by “Special Category Personal Data”?

Under Data Protection legislation, certain personal information is also classed as “Special Category Personal Data”. This is any information relating to:

- Your racial or ethnic origin
- Your political opinions
- Your religious beliefs or other beliefs of a similar nature
- Whether you are a member of a trade union
- Your physical or mental health or condition
- Your sexual orientation
- Your commission or alleged commission of any offence
- Any proceedings for any offence you have committed or are alleged to have committed, the disposal of such proceedings or the sentence of any court in such proceedings.

What are our Lawful basis of processing?

Data protection legislation means that we must have an appropriate “Lawful basis” to process your data. During our recruitment process we rely on the following:

- **Contract**
We need to process data to take steps at your request prior to entering into a contract with you.
- **Legal Obligation**
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 a successful applicant's eligibility to work in the UK before employment starts.
- **Legitimate Interest**
We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job.
- **Legal Claims;**
We may also need to process data from job applicants to respond to and defend against legal claims

To process Special Category Data, we rely on the following:

- **Explicit Consent**

We will ask you to provide details of any disability you may have. This is to enable us to make appropriate adjustments to accommodate your needs during an interview. We also guarantee to interview disabled applicants who meet the essential requirements for the post. However, you do not have to provide this information if you do not wish to do so. If you do consent to providing this information you can withdraw your consent to us processing this data by contacting our HR team.

We do also guarantee to interview applicants from Black, Asian or other minority backgrounds who meet the essential requirements for the post. However, you do not have to provide this information if you do not wish to do so. If you do consent to providing this information you can withdraw your consent at any time by contacting our HR Team.

- **Obligations & specific rights of the controller in relation to employment law**

We ask applicants to declare if they have any unspent or criminal convictions and certain roles within our organisation require us to undertake disclosure for successful candidates through the Disclosure & Disbarring Service (DBS).

How we collect, protect & share data

We manage our recruitment process via a website & software provided by Net-Worx (2001) Ltd. You can set up an account in Net-Worx to search for vacancies, register for job alerts and apply for a role. Net-Worx are defined in data protection law as “Data Processors”. They ensure generally accepted standards of technological security for the purpose of protecting your data and they will only process your data in accordance with your or our instructions. An appropriate data processing agreement is in place. We also have a range of technical and organisational measures in place to ensure your data is secure at all times during the recruitment process & all our staff are subject to a duty of confidentiality.

Details you provide in this application:

- Will be held on computer systems and may be downloaded by us
- Will be available to our processors and to the relevant team with the organisation that are recruiting for the role
- May be used by us to contact you about other vacancies

We use specialist advisors to conduct our psychometric tests if required. Appropriate security measures are in place, a separate Privacy Notice will be provided by them.

As part of the application process you have the option of submitting information that will be used to monitor our commitment to equality and diversity. This data does not form part of the application process and cannot be connected to your application. If details are supplied by you this will be fully anonymised. Please note, you do not have to provide this information to us and it will not affect your application in anyway, simply select the “prefer not” to say options.

How long do we keep your data?

Your candidate account within Net-Worx will be deactivated after 13 months of inactivity. You can also deactivate your account at any time. At the same time as this, your data will be fully anonymised. Application identifiable data is anonymised after 7 months.

Automated Decision Making

We use some automated screening tools as part of this application process. The answers you provide to one or more of the questions (excluding any special categories/equal opportunity questions) may result in your application being automatically declined. This technology is used to help us manage the high volume of applications we receive and we can assure applicants the same outcome would occur if we manually reviewed your application. The reason for the decline will be made available to you in your candidate account and you can contact us at any time to discuss the decision.

International Transfers

Where data is transferred overseas, appropriate data protection clauses are in place to ensure an appropriate level of security.

What are your individual rights?

Under data protection legislation you have a number of rights in relation to your personal information:

- (a) The right to access the personal information we hold -you have a right to ask us what personal information we hold about you, and to request a copy of your information, free of charge. This is known as a subject access request.
- (b) The right to ask for your personal information to be corrected
- (c) The right to erasure (right to be forgotten).
- (d) The right to restrict us processing your personal information.
- (e) The right to object to processing - you have the right to object to processing where we say it is in our legitimate business interests. We must stop using the information unless we can show there is a compelling legitimate reason for the processing, which override your interests and rights or the processing is necessary for us or someone else to bring or defend legal claims.
- (f) The right to withdraw consent/explicit consent. Whenever you have given us your consent to use your personal information, you have the right to change your mind at any time and withdraw that consent.
- (g) The right to data portability. This right allows you to obtain and reuse your personal information for your own purposes across different services
- (h) The right to object to automated decision making and profiling -you have the right to object to us making a decision about you which is made by automated means only. We have outlined above where automated processing will apply during the recruitment process.

We are dedicated to providing reasonable access to applicants or visitors to the site who wish to review the personal information retained and correct any inaccuracies it may contain. If you choose to register, you may access your profile, correct and update your details, or withdraw your details at any time. To do this, you can access

your personal profile by using the secure login. In all cases we will treat requests to access information or change information in accordance with applicable legal requirements. Within your candidate account, you can also use the Download Data feature to generate an XML file of the current data we hold on you that you have provided and/or have access to within the account.

Please note that additional exceptions apply to a number of these rights and not all will be applicable in all circumstances. Further detail regarding your rights can be found at:

<https://ico.org.uk/>.

If you would like to exercise any of the above or have any questions or concerns about how your data is handled, please contact our Risk & Business Assurance Manager at: gdpr@monmouthshirehousing.co.uk or ring 0345 677 2277. You can also write to us at:

Monmouthshire Housing Association Ltd
Nant Y Pia House
Nant Y Pia Technology Park
Mamhilad
Monmouthshire
NP44 6HF

We have one calendar month to respond to a rights request. If we are unable to do so for any reason we will contact you with reasons for the delay. If we are not able to fully complete your request (due to conditions set out by the UK GDPR and Data Protection Act 2018) we will explain why.

Contacting the regulator

If you feel that your personal information has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal information, you have the right to make a complaint to the Information Commissioner's Office. You can contact them by calling 0303 123 1113, raising a concern on line at, www.ico.org.uk/concerns or by writing to:

Information Commissioner's Office,
Wycliffe House,
Water Lane, Wilmslow,
Cheshire, SK9 5AF Online

