



This privacy notice sets out how South Oxfordshire and Vale of White Horse District Councils (the “Councils”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process, and share the data you give to us. It is written in accordance with UK data protection legislation. This privacy notice applies to job applicants applying for vacancies within South Oxfordshire and Vale of White Horse District Councils.

The Councils process your data with a view to potentially entering into a contract of employment. The Councils have a duty as public authorities to ensure we run an efficient and fair recruitment process in public interest to attract suitable staff, to protect public funds. Recruitment and selection decisions are never based solely on an automated decision-making process – there is always human intervention and judgement exercised at the point of decision.

This notice relates to what personal data we hold about you, how we collect it and how we use and may share data about you during and after the recruitment and selection process. This privacy notice does not form part of any contract of employment or other contract to provide services.

The notice applies to potential, current and former applicants and those we have contacted but have opted not to apply for a role. It is important that you read this notice so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

1.1 Purpose of our Processing

We have set out below the different purposes for which we collect and use your personal data.

- process your employment application/s
- to assess your suitability for an advertised role
- for the performance of a contract with you, or to take steps to enter into a contract
- ensure appropriate right to work checks are carried out,
- ensure effective general HR and business administration,
- maintain and promote equality in the workforce,

1.2 How we collect your data

The Councils will collect information in a variety of ways. For example, we may collect this data from you, through application forms, from documents such as your passport or identity documents such as driving licence and qualification certificates or collected through interviews or other forms of assessment, including on-line tests.

In some cases, the Councils may collect personal data about you from third parties, such as references supplied by former employers, other organisations in relation to pre-employment checks, such as registration with professional bodies where this is a requirement for the role and information from disclosure and barring service checks permitted by law.



1.3 Lawful basis for processing personal data

In accordance with the data protection laws, we need a “legal basis” for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

Performance of a contract: Article 6(1)(b) of the General Data Protection Regulations (“GDPR”) – the council needs to process data for the performance of a contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you and to facilitate administration of your pension.

Legal obligation: Article 6(1)(c) of the GDPR – processing is necessary for compliance with a legal obligation to which the controller is subject. For example, processing is necessary for carrying out obligations or exercising rights in employment law, checking your entitlement to work in the UK, to deduct tax, to comply with health and safety laws, to enable you to take periods of leave to which you are entitled and to make statutory returns and make referrals to professional bodies or Government Departments where there is a legal requirement to do so.

Processing is also necessary to defend any legal claims that may be brought against the Council in connection with your application for employment, or to establish, bring or pursue a claim against you.

1.4 Categories of personal data being processed.

The Councils collect and process personal data relating to its prospective, current, and former employees to manage the employment relationship. In the case of contractors paid under IR35 and agency workers the Councils collect and process personal data in order to manage the contract for the services you provide.

The data the Council collects includes:

- Your name, date of birth, address and contact details, including email address and telephone numbers,
- Details of your education, qualifications, skills, experience, and employment history, including start and end dates
- Information about your current level of remuneration, including entitlement to allowances
- Details of any gaps in employment and details of any local government continuous service
- Details of whether you are a relative or a partner of, or have any close personal relationship with any employee or elected Councillor of the Councils
- Details of your registration with or membership or any professional bodies required for you to be able to practice in your profession or meet the requirements of the role that you have applied for, and details of any sanctions or restrictions placed upon you that affect your ability to practice in that role
- Information about your identity and entitlement to work in the UK



- Information about your criminal record where applicable to your role
- Whether or not you have a disability for which the Councils need to make reasonable adjustments during the recruitment and selection process
- Where you have applied for a role that would require you to drive on Council business/ have a lease car we will collect details of your driving license and any driving offences that you incur

1.5 Special categories of personal data being processed (sensitive data)

The personal data we process may include sensitive special category data including:

- Equal opportunities monitoring information, including information about your gender, whether you are married or in a civil partnership, ethnic origin, sexual orientation, religion or belief, health, and disability including which the Council needs to make reasonable adjustments for,

1.6 Criminal offence data being processed

The criminal offence data we process may include:

- Information about your criminal record including results from DBS checks where applicable to your role.

1.7 Condition for processing special categories of personal data

Where the Councils process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done under Article 9(2)(b) GDPR – employment safeguards and fundamental rights, Schedule 1, Part 1 (1) DPA 2018 – processing for employment purposes.

The Equality Act 2010 means that the Council has a duty to ensure that no discrimination takes place during recruitment and selection on grounds of “protected characteristics”. Clearly, the Council needs to collect the data which relates to the characteristics to ensure (and be able to show) that it is not treating applicants unfairly as a result.

You are under no obligation to provide any of the data listed, but a refusal to do so will clearly affect the ability of the Councils to process your application properly or at all which will potentially disadvantage your chances of success. You are under no obligation to provide equal opportunities information (this is asked for separately and will be retained by the People & Culture team for monitoring purposes and will not be used as part of the selection process). There are no consequences for your application if you do not

1.8 Processing of personal data relating to criminal convictions and offences

Criminal offence data will be processed under additional UK GDPR Article 10 and condition in Schedule 1, Part 1 (1) DPA 2018 – processing for employment purposes.



1.9 Who your data may be shared with

Your information will be shared internally and seen by authorised Council staff for the purposes of the recruitment and selection exercise. This will include members of Strategic HR, the recruiting manager and members of the recruitment panel, managers in the service area with the vacancy and IT staff if access to the data is necessary for performance of their roles. Depending on the type of role being recruited to, your information may be shared with external third party specialists to review applications.

The Council will share your data with third parties in order to obtain pre-employment checks required for the role. This includes your referees and other organisations such as professional bodies necessary to complete pre-employment checks. Medical checks from our Occupational Health provider and criminal records checks required for the role, obtained from the Disclosure and Barring Service by a third-party organisation, will not be sought until a conditional offer of employment has been made.

The Council shares your data with third parties where it is legally required to do so, such as to comply with requirements for statutory reporting. We will not share your information with family members or friends unless you have given us permission to do so.

1.10 Sharing data outside the United Kingdom

Your data will not be stored or sent outside of the UK, with the exception of requests for references where the referees you have provided are outside of the UK.

1.11 Automated decision making

Recruitment and selection decisions are never based solely on an automated decision-making process – there is always human intervention and judgement exercised at the point of decision.

1.12 How your data is stored.

Your data will be held on an electronic database designed for use by the People & Culture team or in a secure folder and will be protected using up to date technical and organisational security measures.

1.13 How long will the data be kept?

Your personal data will not be kept longer than necessary.

Data for unsuccessful applicants will be kept for six months, or longer with consent.

Data for successful applicants will be used to enter into a contract of employment. A separate privacy notice exists for employees, and you can view that on the Councils' websites.



1.14 Your rights

You have a number of rights when it comes to the data, we hold about you but these vary depending on which lawful basis we rely on for processing your data, as set out in 1.3 above. The rights are detailed on our data protection pages on our websites.

South Oxfordshire

<https://www.southoxon.gov.uk/south-oxfordshire-district-council/about-the-council/privacy/data-protection/>

Vale of White Horse

<https://www.whitehorsedc.gov.uk/vale-of-white-horse-district-council/about-the-council/privacy/data-protection/>

1.15 Complaints

If you believe we have not handled your personal data as we have described here, please contact us by email to data.protection@southandvale.gov.uk and your concerns will be fully investigated. If, after we have investigated your concerns, you are not satisfied with our conclusion, you have the right to refer the matter to the Information Commissioner's Office (ICO). You can reach the ICO [through their website](#) or call them on 0303 123 1113. Their mailing address is:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF