

## TUC Job Applicant Privacy Notice |

At the TUC we respect everyone's right to privacy, and value the trust you place in us by sharing your data with us. We're committed to:

- collecting and using your data in a way that you would reasonably expect, in line with relevant data protection / privacy legislation;
- providing you with clear and transparent information about how we use your personal data, what we use it for and what your rights are in relation to this;
- only using your data for the purposes described in this document.

This notice explains:

- what personal data we collect about you and the lawful basis for this,
- how we use this information,
- how long we keep the data,
- who we share your data with,
- how we protect your data,
- your rights, and how to enact them in relation to the personal data we hold about you.

Please be aware that we don't accept CV applications or speculative CVs. They will therefore be deleted from our systems upon receipt.

If you're returning your completed application by email, please send it only to [jobs@tuc.org.uk](mailto:jobs@tuc.org.uk) This is a secure email address that only authorised Personnel staff have access to. Do not send your application to any other TUC email address including those of TUC employees.

### About the TUC

The Trades Union Congress (TUC) is the 'controller' of the data you submit in relation to your job application. If you have any queries about how we gather, and use your personal data then you can get in touch with our Data Protection Officer by post at:

Data Protection Officer  
Trades Union Congress  
Congress House  
Great Russell Street  
London  
WC1B 3LS

Or via email: [info@tuc.org.uk](mailto:info@tuc.org.uk) please put '*For the attention of the Data Protection Officer*' in the subject line of your email.

## Your privacy rights

As a data subject, you've a number of rights (subject to a few legal exemptions). You've the right to:

- be informed about the collection and use of your personal data (e.g. in this privacy notice);
- object to the processing of your data where we rely on our legitimate interests as the legal basis for processing;
- withdraw your consent at any time;
- ask us to change incorrect or incomplete data;
- ask us to delete your personal data where it is no longer necessary for us to use it, when you've withdrawn consent, or where we've no lawful basis for keeping it;
- ask us to restrict the personal data we use about you where you've asked for it to be deleted or where you've objected to our use of it;
- ask us to provide you or a third party with some of the personal data we hold about you in a structured, commonly used, electronic form, so it can be easily transferred;
- request access to a copy of your personal data, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it's been used for any automated decision making. You can make a request free of charge by writing to our Data Protection Officer at the address above. Please provide us with evidence of your identity;
- not be subject to a decision based solely on automated processing, including profiling;
- make a complaint to us about how we've used your personal data.

To learn more about these rights please see the Information Commissioner's Office website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-pr/individual-rights/>

If you'd like to exercise any of these rights, please contact the Data Protection Officer by post or email. We'll need to ask you to confirm your identity before we can deliver on a number of these rights.

The personal data that you supply with your application may be retained by us for the purposes of managing your application, and for statistical and audit purposes and will be stored in accordance with our standard procedures as set out above.

If you believe that we've not complied with your data protection rights, you can complain to the Information Commissioner's Office (the regulator for privacy / data protection legislation). The Information Commissioner's Office (ICO) can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire

SK9 5AF  
Tel: 0303 123 111

### **What do we do with the information you give us?**

We'll use the information to assess your suitability for the position you've applied for and to fulfil regulatory or legal requirements.

For example, our Personnel team may use your contact details to get in touch with you to progress your application. This process may include references, medical screening and disclosure and barring service (DBS) check to assess your suitability for the role you've applied for.

We don't share any of the data that you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide is held securely by us and/or our data processors and appropriate access restrictions are applied.

### **What information do we need to collect in relation to job applications, and what do we do with it?**

We only collect information we need to process and make a decision about your application.

#### **Application stage**

At this stage we collect (via your application form):

- your name, and contact information, date of birth, disability status, ethnicity and gender, occupation, company details and other information relevant to our Personnel function.
- 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 we need to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- diversity information about your ethnic origin and gender. *As this information isn't compulsory it won't affect your application if you don't provide it. It does, however, help us to find out whether our recruitment campaigns have been successful in attracting a diverse range of applicants. This information, together with disability status and age is not accessible to anyone else other than the Personnel Team during the recruitment process. Any information you do provide, will be anonymised and only used to produce and monitor diversity statistics [please see General Data Protection declaration on the TUC application form].*
- referees;
- answers to questions relevant to the role you have applied for.

## **Why do we need to process your personal data?**

We need to process the data you've given us in your application before we can enter into a contract of employment with you. We also process your data using the 'contract' lawful basis for processing in relation to your 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 who to offer the job to.

We may also need to process data from job applicants to respond to and defend against legal claims.

In some cases, we need to process data to ensure that we're complying with our legal obligations. For example, we're required to check a successful applicant's eligibility to work in the UK before employment starts.

Where we rely on our legitimate interests as a reason for processing data, we've considered whether or not those interests are overridden by the rights and freedoms of future employees. We've concluded that they're not.

We process health information if we need to make reasonable adjustments to the recruitment process for those candidates that declare they've a disability. This may require us to make reasonable adjustments so for attendance at interview or when a new employee starts working for us. In doing this we're carrying out our obligations and exercising specific rights in relation to employment.

Where we process other special categories of data, such as information about ethnic origin or gender, this is for diversity monitoring purposes.

For some roles, we're obliged to seek information about criminal convictions and offences. We do so because it's necessary to carry out obligations and exercise specific rights in relation to employment.

We won't use your data for any purpose other than the recruitment exercise you've applied for.

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

Your information will only be available to the recruitment panel for the purpose of the recruitment exercise.

Unless your application for employment is successful and we make you an offer of employment, we won't share your data with third parties. We then share your data (your name) with your former employers to obtain references for you, employment background check providers (name, address, phone numbers, date of birth, NI numbers) to obtain necessary background checks, pre-employment health screening (name, date of birth, contact details) and the Disclosure and Barring Service to obtain necessary criminal records checks.

We never transfer your data outside the European Economic Area.

### **How do we protect your data?**

We take the security of your data seriously. We've 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.

Our Personnel database has applied security levels, personal data (with the exception of any trade union membership mentioned in the application form) is removed from the shortlisting process, personal data (with the exception of your name to panel members at the interview stage) is only available to members of the Personnel team, recruitment timetables are kept securely, hard copies of applications are kept under lock and key and emailed applications are only accessible to members of the Personnel team.

We've named the specific organisations involved in processing personal data in relation to our recruitment below. As we have contracts / agreements with them, it means that they can't do anything with your personal information unless we've instructed them to do it. They won't share your personal information with any organisation apart from us.

#### **Care Check**

We need to carry out standard Disclosure and Barring Service (DBS) checks for some of our jobs such as those with responsibility for cash transactions and therefore we'll share some personal information with Care Check, our DBS provider. Once we've had sight of the relevant information you provide us with, we'll complete an online form which Care Check then processes.

Once the checks are complete, Care Check will send you a certificate and we'll take a copy for our records. We'll keep the copy in line with the data retention period below. Here's a link to Care Check's Privacy Notice.

<https://www.carecheck.co.uk/support-at-carecheck/policies/>

#### **Cascade**

Once our Personnel team receives your application by email or post and then input the relevant data into Cascade, our internal HR system. Your data will be in line with our recruitment and selection procedure. Here is a link to Cascade's Privacy notice:

<https://www.cascadehr.co.uk/privacy-policy>

#### **Maitland Medical**

If we make you a conditional offer, we'll provide our Occupational Health provider, Maitland Medical, with your personal data. Maitland Medical will contact you directly and ask you to complete an online questionnaire that will help them to determine if you're fit to undertake

the work that you have been offered, or to advise us of any reasonable adjustments needed to the work environment or systems so you may work effectively.

The information you provide will be held by Maitland Medical who will provide us with a fit to work certificate or a report with recommendations. You're able to request to see the report before it's sent to us. If you decline us access to the report, this this may affect your job offer. If an occupational health assessment is required, this is likely to be carried out by Maitland Medical. Maitland Medical make it clear about how your data is stored, how you can make a request to access any data it holds and what information will be shared with us. Here's a link to Maitland Medical's website:

<http://maitlandmedicaloccupationalhealth.com>

### **How long do we keep your data?**

We don't keep your data for longer than is necessary.

If your application for employment is unsuccessful, we'll hold your data on file for 6 months after the closing date for the job you've applied for.

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. We'll retain all the information for 6 years after you've left the company. This includes your criminal records declaration, fitness to work, records of any security checks and references.

<https://www.carecheck.co.uk/support-at-carecheck/policies/>

### **Do we use automated decision-making tools?**

None of our recruitment decisions involve automated decision-making.

### **Changes to this policy**

We keep our privacy notice under regular review. Any changes we make to our privacy notice will be advertised via our website, and through our email communications to stakeholders.

This policy was last updated on 24<sup>th</sup> May 2018.