ELDERPARK HOUSING ASSOCIATION LIMITED

HOW WE USE YOUR PERSONAL INFORMATION (EMPLOYMENT APPLICANT)

We, Elderpark HA, are the controller of the personal information that we hold about you. This means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information. This includes providing you with the details contained within this statement of how we hold and use your personal information, who we may share it with and your rights in relation to your personal information.

We have appointed a Data Protection Officer (DPO) who ensures we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO by: e-mail at gdpr@elderpark.org; telephone on 0141 440 2244; or writing to: Data Protection Officer, Elderpark Housing Association, 65 Golspie Street, Glasgow, G51 3AX.

You can contact us by: e-mail at admin@elderpark.org; telephone on 0141 440 2244; or writing to: Elderpark Housing Association, 65 Golspie Street, Glasgow, G51 3AX.

Your attention is particularly drawn to section 3 of this statement, which confirms that you consent to your personal information and special category personal information being held and used by us as described in section 2 of this statement.

1. What personal information do we hold and use about you?

While we remove personal information from applications for employment prior to assessment, we may need to hold and use the personal information that you provide to us as part of your application and / or other personal information that we may obtain about you from you (for example, during an interview) and from third parties (including referees, agencies and Employers in Voluntary Housing (EVH), if applicable)). This includes your:

- name;
- contact information;
- date of birth;
- gender;
- identification documentation, such as your passport and / or driving licence;
- employment history and experience (paid and unpaid), including dates, job titles, duties, salaries and skills gained;
- education, qualifications, training courses completed and professional memberships held (including copies of certificates);
- responses to questions in the application form which allow us to compare your experience, skills and knowledge with our requirements;

- relationship (if any) to our staff, Committee members, suppliers, consultants or contractors;
- hobbies and interests;
- referees' names, contact details and job titles;
- results of psychometric testing (if applicable);
- nationality and immigration status and right to work in the UK (including relevant supporting documentation);
- special category personal information about your racial or ethnic origin, sexual orientation, your physical and / or mental health, religious or other similar beliefs and / or political opinions (where you choose to share this with us as part of your application); and
- criminal records information, including Disclosure Scotland and / or Protecting Vulnerable Groups scheme and / or DVLA checks (if relevant to the position that you are applying for).

The law requires you to provide certain of the above personal information to allow us to verify your right to work in the UK and to assess your suitability for the position applied for. If you do not provide us with this personal information, we may not be able to process your application successfully and / or take it further.

However, you are under no obligation to provide personal information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide this to us.

2. Why do we hold and use this personal information about you?

We hold and use this personal information to:

- carry out the recruitment process and assess your application for employment;
- verify the qualifications information provided by you;
- verify the criminal records information provided by you;
- carry out right to work and other statutory background checks;
- shortlist for and arrange an interview with you (if applicable);
- comply with legal requirements when arranging an interview with you (if applicable);
- comply with our equal opportunity monitoring obligations;
- communicate with and inform you of the outcome of the recruitment process;
- obtain references about you from your referees (if applicable); and
- protect and defend our legal rights in the case of a dispute between us.

3. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information. Our legal reasons for holding and using your personal information include:

- complying with the laws that apply to us, such as to check your eligibility to work in the UK and to make appropriate adjustments to comply with equality and accessibility laws when arranging an interview with you (if applicable);
- taking steps to enter into an employment contract with you, if your application is successful; and
- protecting our legitimate interests – in the highly unlikely event that we do not have another legal reason, we may have a legitimate interest in handling and using your personal information, for example, to operate and manage our recruitment process, obtain references about you and to defend our position in legal claims. In those circumstances, we will always consider your legitimate interests in the protection of your personal information, and will balance those against our own legitimate interests in handling and using your personal information for the purposes described in section 2 of this statement.

In very limited circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and special category personal information (including your racial or ethnic origin, sexual orientation, your physical and / or mental health, religious or other similar beliefs and / or political opinions) and the personal information and special category personal information of other individuals (including your referees), you:

- consent to it being used by us as described in section 2 of this statement; and
- confirm that you have informed the other individuals if they are of 12 years old and above of the content of this statement and they have provided their consent to their personal information and special category personal information being used by us as described in section 2 of this statement.

You and the individuals have the right to withdraw your consent to us holding and using your and their personal information and special category personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and special category personal information for the purpose(s) set out in section 2 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

4. Who do we share your personal information with?

We may share your personal information with the following organisations for the purposes described in section 2 of this statement:

- our consultants, advisers and IT service providers;
- our solicitors;
- our lenders;
- your referees; and
- Disclosure Scotland.

5. Will my personal information be sent outside the UK?

Some of the organisations who we share your personal information with (listed in section 4 of this statement) may be based or may make use of data storage facilities that are located outside the UK. Their handling and use of your personal information will involve us and / or them transferring it outside the UK. When we and / or they do this, we will ensure similar protection is afforded to it by:

- only transferring it or permitting its transfer to countries that have been deemed to provide an adequate level of protection for personal information as a matter of data protection law; or
- using specific contracts with such organisations, which are approved for use in the UK, and which give your personal information the same protection it has in the UK.

Please contact our DPO for further information on the specific mechanism used by us when transferring your personal information outside the UK.

6. How long do we keep your personal information?

We keep the personal information that we obtain about you during the recruitment process for no longer than we need to meet any legal, accounting, reporting or regulatory requirements.

We keep recruitment information (including interview notes) for 6 months after the recruitment process has been completed. We will only keep recruitment information for longer than this if your application for employment is successful (we will only keep the recruitment information that is relevant to your employment).

We may also retain your personal information if you indicate to us that you wish us to do so in case a further similar opportunity arises in the future.

More information is contained in our data retention policy, which is available by contacting our DPO.

7. What rights do you have in relation to your personal information that we hold and use?

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information that we hold about you.
- Deletion of your personal information where there is no reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).

- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it or to stop us from using your personal information altogether if we have breached data protection laws.
- The transfer of your personal information to another organisation, for example, the transfer of your training record to a future employer.
- That you are not subject to a decision solely taken by computer which produces legal consequences for or otherwise significantly affects you.

You can also object to us holding and using your personal information where our legal reason is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

8. Feedback and complaints

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113 Website: https://ico.org.uk/concerns/

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

9. Updates to this statement

We may update this statement at any time, and we will provide you with an updated version when required to do so by law.

Last updated: February 2023