

SPCB Privacy Notice

This privacy statement explains how we collect and use personal information about you for the following process:

Recruitment of Scottish Parliamentary Corporate Body Staff

This is the 'Recruitment of Scottish Parliamentary Corporate Body Staff Privacy Notice'. Our contact details are: Human Resources Office, The Scottish Parliament, Edinburgh, EH99 1SP.

The Scottish Parliamentary Corporate Body (SPCB) processes any personal data it obtains in accordance with the requirements of the General Data Protection Regulation (EU) 2016/679 (the GDPR), the Data Protection Act 1998 (the DPA) and any Acts that replace the Data Protection Act 1998.

The UK Parliament is currently considering a Bill that is intended to replace the Data Protection Act 1998 and is referred to as the Data Protection Bill (DPB). The GDPR comes into force on 25 May 2018 which means that its provisions will apply from that date. In this document we are using GDPR terminology and requirements. If you have any questions about how the Data Protection Act 1998 applies to this process for the time period leading up to the 25 May 2018, please contact us using the details below.

The SPCB is a data 'controller', which means we are responsible for deciding how we hold and use your personal information. This notice explains how we will collect and use your personal information in the context of your recruitment and your rights in relation to your personal information.

The categories of information processed

For assessing your application, we process normal category data which includes; title, name, home address, email address, telephone number, qualifications, previous employment history, employment reference addresses, skills and experiences.

Special categories of data are also requested for monitoring of equal opportunity and treatment which may include; gender, ethnicity, nationality, sexual orientation,

disability, religion/belief. Our equal opportunities monitoring form also asks for your date of birth which is normal category data. The completion of the equal opportunities form is voluntary.

Source of the information

At this stage in the recruitment process all personal data will be provided by the applicant only.

The purpose(s) of the processing

We will process your personal information to enable us to consider your suitability for an advertised job vacancy. This may include collecting your personal information, recording it, storing it, using it, amending it and destroying it.

In general, we process your personal information to:

- Assess your suitability for an advertised job vacancy;
- Make a decision about your recruitment or appointment; and
- Contact you in relation to your application.

Personal data will be reviewed in order to assess suitability for an advertised job vacancy and will be stored securely on the Parliament's servers. Access will be restricted to the Human Resources Office. Your application will only be shared with the interview board.

Your personal details will be processed through a third party recruitment system and your application details will be uploaded onto this system however we will not be pass your personal details to any other third party..

More information about the third party provider's privacy policy can be found here:

<http://www.arithon.com/about-us/privacy-policy/>

Candidates who have been assessed as suitable for a role, but cannot be offered appointment at that time, may be offered a place on a reserve list for that post, and given the opportunity to join an applicant bank for other suitable temporary vacancies.

The legal basis of processing

- The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Art 6(1)(b) GDPR).
- The processing is necessary for legitimate interests (Art 6(1)(f) GDPR) in order to select a suitable employee.
- The processing of special categories of data is necessary to exercise or perform employment law rights and obligations and to review equality of opportunity or treatment. The legal basis for processing is that it is necessary for reasons of substantial public interest in accordance with Art 9(2)(g) GDPR, s10(3) of and para 8 of Schedule 2 to the DPB because the processing is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatments between groups of people with a view to enabling such equality to be promoted and maintained. Applicants are not under an obligation to provide the data to us.
- Where we offer a place on a reserve list or applicants bank, we will seek your consent separately for holding your personal data for that purpose.

Consequences of not providing personal data

Where personal data is not provided this may affect our ability to consider your suitability for an advertised post or contact you in relation to the outcome of your application.

Data sharing

Your application will be reviewed within the Human Resources office and shared with the interview board. Your personal details may be processed through a third party recruitment system however we will not be pass your personal details to any other third party provider.

Retention of data

Personal details for unsuccessful applications retained for two years then automatically deleted from our system in line with the SPCB document retention

schedule. Where applicants are unsuccessful but pass the board, applicants will be placed on a reserve list with their consent for up to 12 months in case any future positions become available; as described above.

Your rights

The GDPR sets out the rights which individuals have in relation to personal information held about them by data controllers. These rights are listed below, although whether you will be able to exercise each of these rights in a particular case may depend on the purpose for which the data controller is processing the data and the legal basis upon which the processing takes place.

Access to your information – You have the right to request a copy of the personal information about you that we hold. For further information, see our Data Subjects' Access Requests Policy.

Correcting your information – We want to make sure that your personal information is accurate, complete and up to date and you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information – You have the right to ask us to delete personal information about you where:

- You consider that we no longer require the information for the purposes for which it was obtained.
- We are using that information with your consent and you have withdrawn your consent – see *Withdrawing consent to using your information* below.
- You have validly objected to our use of your personal information – see *Objecting to how we may use your information* below.

Objecting to how we may use your information – Where we use your personal information to perform tasks carried out in the public interest or for a legitimate interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

Our use of your personal information is contrary to law or our other legal obligations.

Restricting how we may use your information – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information about you that we hold or assessing the validity of any objection you have made to our use of your information. The right might also apply where this is no longer a basis for using your personal information but you don't want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Withdrawing consent using your information – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

Please contact us in any of the ways set out in the *Contact information and further advice* section if you wish to exercise any of these rights.

Changes to our privacy statement

We keep this privacy statement under regular review and will place any updates on this website. Paper copies of the privacy statement may also be obtained using the contact information below.

This privacy statement was last updated on 14 May 2018.

Contact information and further advice

If you have any further questions about the way in which we process personal data, or about how to exercise your rights, please contact the Head of Information Governance at:

The Scottish Parliament

Edinburgh

EH99 1SP

Telephone: 0131 348 6913 (Calls are welcome through the Text Relay service or in

British Sign Language through [contactSCOTLAND-BSL.](#))

Email: dataprotection@parliament.scot



HAPPY TO **TRANSLATE**

Please contact us if you require information in another language or format.