



PRIVACY NOTICE – Recruitment & Selection

How we use your information

Your information is processed to enable us to shortlist and recruit to vacancies, ensuring compliance with the Equality Act, the Rehabilitation of Offenders Act, the Employment Rights Act, the Agency Workers Regulations and the Data Protection Act 2018. This information is held electronically, with an interface between IT systems (TalentLink)

Type of information held

The types of information we hold will include the information you provide in your application as well as information we capture throughout the recruitment process, including: your name and contact details, and information about your employment history, including references, and qualifications. We may also ask you to provide evidence of any training, certification, qualifications and licenses (such as a driving license) so we can validate that you are appropriately qualified to undertake the activities of the role. We also gather information required to check your eligibility to live and work in the UK.

Some of the personal information we use has been provided by your previous employer rather than by yourself. They will provide us with details about your previous employment. We may also contact the Police where there has been a criminal conviction, to determine its nature and impact on the ability to carry out the role.

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand our basis in data protection law to be Article 6(1)(b) of the General Data Protection Regulation (GDPR) because processing your personal information is necessary for us to assess your application to work for us and to undertake a proper recruitment process. Additionally, we understand that Article 6(1)(c) of the GDPR also applies as we have a legal obligation to adhere to the acts and regulations mentioned earlier. If you do not provide us with your personal data we would not be able to carry out our statutory duties in relation to employment and we will not be able to employ you.

As part of the recruitment and selection processes, the Council is also likely to process special categories of personal data. The Council understands our legal basis for doing so as Article 9(2)(b) of the GDPR as processing is necessary for carrying out our obligations in the field of employment. See below for more information on special category data.

Processing special categories of data

Personal data that counts as 'special category data' includes data about ethnic origin, health and other kinds of sensitive data.

Some roles require members of staff to have Disclosure checks or PVG checks undertaken. In these cases, the Council will process information regarding criminal convictions (and any police intelligence regarding suspected criminality included in a PVG check) to assess your suitability for the role in question. Candidates applying for a role which does not require a PVG check will be asked for details of any Criminal Convictions, which the Council will process to assess suitability for that role.

Information about your health may also be gathered as part of a health assessment. This information is necessary so we can make sure you are medically fit for the role.

Who we share your information with

Your information may be shared internally with authorised officers of the Council. This may include, but is not limited to Human Resources and Organisational Development (HR &OD), Payroll, Management in the service area which you applied to work within and Information & Communications Technology (ICT) if access to the data is necessary as part of their roles.

The Council may also share your data with third parties, where we are under a legal obligation to do so. For example this may be with Police, Department of Work and Pensions, UK Border Agency or Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal information with third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the information is held for

Your data will be held by Moray Council for a pre-determined length of time. You can find all the information about how long we retain data for on our website:

http://www.moray.gov.uk/moray_standard/page_92820.html

Your rights

Moray Council is the Data Controller for your information. You have got legal rights about the way the Council handles and uses your data. These include the right to ask for a copy of it, to ask us to correct or erase your data, and to ask us to stop doing something with your data so far as legislation permits. For more information about these rights, please contact the Council's Data Protection Officer at info@moray.gov.uk or 01343 562633.

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your data lawfully.

Information Commissioner's Office

Postal Address – Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113
Email: casework@ico.gov.uk

You can also consult the information available at the Information Commissioner's website, www.ico.org.uk