

**How we use your information **

**Fair Processing Notice: Applicants**

*(“How we use Job Applicant information”)*

**Data controller: Muirhouse Housing Association**

11 Muirhouse Medway, Edinburgh, EH4 4RW

0131 336 5282

As part of any recruitment process, Muirhouse Housing Association (“MHA”, “we”) collects and processes personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

**What information do we collect?**

MHA collects and processes a range of information about you. This includes:

* We collect a range of information about you. This includes:
* your name, address and contact details, including email address and telephone number;
* details of your qualifications, skills, experience and employment history;
* information about your current level of remuneration, including benefit entitlements;
* whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process; and
* information about your entitlement to work in the UK.

We may collect this information in a variety of ways. For example, data might be contained in application forms and or CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

We may also collect personal data about you from third parties, such as references supplied by former employers and information from criminal records checks. MHA will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.

Data will be stored in a range of different places, including on your application record, in our HR management systems and on other IT systems (including email).

**Why do we process personal data?**

We need to process data to take steps, at your request, prior to entering into a contract with you. We may also need to process your data to enter into a contract with you.

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

MHA has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allow us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

We process special categories of data, such as information about ethnic origin to monitor recruitment statistics. We may also collect information about whether or not an applicant considers themselves to be disabled in a way for which we need to make reasonable adjustments. We process such information to carry out our obligations and exercise specific rights in relation to employment.

For some roles, we seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary for us to carry out its obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, we may keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before we keep your data for this purpose and you are free to withdraw your consent at any time.

**How do we protect data?**

We take the security of your data seriously. We have 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. We protect your data by following our Access Control Management Policy and we will always provide a copy of our Data Protection Policy at your request.

**Who has access to data?**

Your information may be shared internally for the purposes of the recruitment exercise. This includes HR staff, interviewers involved in the recruitment process and managers in the business area with a vacancy.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain references for you and the Disclosure and Barring Service to obtain necessary criminal records checks.

MHA will not transfer your data outside the European Economic Area.

**For how long does MHA keep data?**

If your application for employment is unsuccessful, MHA will hold your data on file for one year after the end of the relevant recruitment process. At the end of that period your data is deleted or destroyed.

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. The periods for which your data will be held will be provided to you in a new privacy notice.

**Your rights**

As a data subject - someone whose data we hold - you have a number of rights. You can:

* access and obtain a copy of your data on request;
* require MHA to change incorrect or incomplete data;
* require MHA to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
* object to the processing of your data where MHA is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact:

Grit Nielsen on email gnielsen@muirhouseha.org.uk or phone 0131 336 5282

If you believe MHA has not complied with your data protection rights, you can complain to the Information Commissioner on phone number 0303 123 1113 or email Scotland@ico.org.uk. You can find more information on their website: https://ico.org.uk/

**What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to MHA during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.

***Automated decision-making***

*Employment decisions are not based solely on automated decision-making, MHA will always have at least one person involved in any decision-making process.*