



Privacy Notice for Job Applicants

This privacy notice explains how we collect, store, and use your personal data when applying for jobs with the town council.

Under data protection law, you have the right to be informed about how the town council uses any personal data that we hold about you. We comply with this requirement by providing this privacy notice.

We, Marlborough Town Council are the 'data controller' for the purposes of data protection law.

The personal data that we may collect

In most cases we collect personal information directly from you when you provide personal information to us by applying directly for a role at the council, or information that we learn about you through your interactions with us, information that you have made publicly available or, with third parties (e.g., recruitment agencies).

Personal data that we may collect, use, store, and share about you includes, but is not restricted to:

- Name, address, email address and date and place of birth
- Work history/job data; previous employers, positions, dates, etc.
- Basic salary, benefits, bonuses, etc.
- Education and work history including professional qualifications and skills
- Employer feedback / references, to include regulated references where necessary
- Nationality / visa / right to work permit information; (e.g., passport, driving licence, National Insurance numbers)
- Photographs and images from recorded assessments
- Results of pre-employment screening checks (e.g., credit history, criminal record checks where permitted under local law)
- Assessment results e.g., psychometric assessment results, results from video or telephone assessment

We may also be required to collect, store, and use more sensitive information as part of your application that falls into special categories of personal data:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership

- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health; or
- Data concerning a natural person's sex life or sexual orientation

We may need to capture some information regarding your physical or mental health in order to allow us to make reasonable adjustments to ensure fairness in the recruitment process such as adjusting tests or facilities to meet your needs.

We retain DBS information for as long as it is deemed necessary/relevant to the role.

Why we use this data

We will gather the relevant data from you to aid the recruitment process by:

- Enabling us to establish relevant experience and qualifications.
- Enabling equalities monitoring
- Ensuring that appropriate access arrangements can be provided for candidates that require them
- Ensuring that certain requirements such as the right to work can be met.
- Providing aptitude tests using third parties.

Our lawful basis for using this data

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Take steps to enter into a contract (e.g., employment contract with you)
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

Where we process more sensitive data (known as special category personal data) on you we need an additional legal basis. The bases we mainly use are:

- Legal obligation
- Substantial public interest, such as for statutory purposes or for the equality of opportunity or treatment
- Explicit consent
- To maintain your vital interests where consent is physically or legally incapable of giving consent (e.g., where you are unconscious and in need of medical assistance), and where your health data is then shared)

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the town council's use of your data.

Collecting this information

As part of the recruitment process, we are required to collect certain information from you to comply with our legal responsibilities, and mandatory fields on application forms must be fully completed.

However, you can choose whether or not to provide some information to us, for example, information required in connection with equal opportunities monitoring.

How we store this data

Personal data we collect as part of the job application process is stored in line with our data retention policy, which is available upon request. For unsuccessful candidates the information is retained for up to 6 months after the date of selection.

For successful candidates this information will form part of your employment record and will be held for the duration of your employment, and for 6 years after your employment ends.

When it is no longer required, we will delete or securely dispose of your information.

Data sharing

We do not share information about you with any third party unless the law or our policies allow or require us to do so without your consent.

Where it is legally required or necessary (and it complies with data protection law), we may share personal information about you with:

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR, vehicle hire, auditing or recruitment support
- Professional advisers and consultants
- Our occupational health advisors
- Employment and recruitment agencies
- Academic institutions or relevant professional bodies
- Statutory bodies such as Her Majesties Revenues and Customs, Department for Work and Pensions, Disclosure and Barring Services and the Local Authority

How to access the personal information we hold about you

Individuals have a right to make a 'subject access request' to gain access to personal information that the town council holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it

- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances. If you would like to make a request, please contact the town council office.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if we are processing it on the basis of public interest; the exercise of official authority, or legitimate interests, in which case we will consider your objections particularly those around damage or distress, and balance them against the interests of the Town Council to continue to process the data
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person)
- Request that inaccurate data is rectified
- In certain circumstances, have personal data erased
- The restriction of processing where it is considered unfair or excessive

To exercise any of these rights, please contact the town council office or our Data Protection Officer.

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading, or inappropriate, or have any other concern about our data processing, please consider raising this with us in the first instance.

To make a complaint, please contact the town council office or our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/> or call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please either contact the town council office:

- Town Clerk, Marlborough Town Council, 5 High Street, Marlborough, SN8 1AA.
townclerk@marlborough-tc.gov.uk. T: 01672 512487

or our Data Protection Officer:

- i-west@bathnes.gov.uk 01225 395959