

## Privacy Notice for Job Applicants and Employees

**Data controller: Hertfordshire Students' Union**

**Data protection officer: Phil Mackay – [contact@hertfordshire.su](mailto:contact@hertfordshire.su) – 01707 285000**

Hertfordshire Students' Union (the Union) collects and processes personal data relating to its employees and job applicants to manage the employment relationship and the recruitment process. The Union is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. It is important you read this notice or any other privacy notices that are provided on occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### What information does the Union collect?

The Union collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number, date of birth and gender;
- the terms and conditions of your employment;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Union;
- information about your remuneration, including entitlement to benefits such as pensions or insurance cover;
- details of your bank account and national insurance number;
- information about your marital status, next of kin, dependants and emergency contacts;
- information about your nationality and entitlement to work in the UK;
- information about your criminal record;
- details of your schedule (days of work and working hours) and attendance at work;
- details of periods of leave taken by you, including holiday, sickness absence, family leave and lieu, and the reasons for the leave;
- details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;
- assessments of your performance, including appraisals, performance reviews and ratings, performance improvement plans and related correspondence;
- information about medical or health conditions, including whether or not you have a disability for which the Union needs to make reasonable adjustments; and
- equal opportunities monitoring information including information about your ethnic origin, sexual orientation and religion or belief.

### We collect this information in the following ways

- data might be collected through application forms, CVs;
- obtained from your passport or other identity documents such as your driving licence;
- from forms completed by you at the start of or during employment (such as benefit nomination forms);
- from correspondence with you; or through interviews, meetings or other assessments.
- in some cases, the Union may collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal records checks permitted by law.

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**We store this data** - in a range of different places, including in your personnel file, your application form, CV's, online tests, in the Union's HR management systems and in other IT systems (including the Union's email system).

### **Why does the Union process personal data?**

The Union needs to process data to take steps at your request prior to entering into a contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefits, pension and insurance entitlements.

In some cases, the Union needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws and to enable employees to take periods of leave to which they are entitled.

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

In other cases, the Union has a legitimate interest in processing personal data before, during and after the end of the employment relationship. Processing employee data allows the Union to:

- run recruitment and promotion processes;
- processing data from job applicants allows the Union to manage the recruitment process;
- assess and confirm a candidate's suitability for employment and decide to whom to offer a job
- maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency), and records of employee contractual and statutory rights;
- operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
- operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes;
- operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees are receiving the pay or other benefits to which they are entitled;
- obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees are receiving the pay or other benefits to which they are entitled;
- operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Union complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled;
- ensure effective general HR and business administration;
- provide references on request for current or former employees; and
- respond to and defend against legal claims.

The Union may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. It may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a

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disability. The Union processes such information to carry out its obligations and exercise specific rights in relation to employment.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities). Where the Union processes other special categories of personal data this is done for the purposes of equal opportunities monitoring. Data that the Union uses for these purposes will be anonymised or is collected with the express consent of employees, which can be withdrawn at any time. Employees are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

For some roles, the Union is obliged to seek information about criminal convictions and offences. Where the Union seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

### **Who has access to data?**

Your information may be shared internally for the purposes of the recruitment exercise such as interviewers involved in the recruitment process, managers in the business area with a vacancy and with members of the HR and recruitment team. For employees it may also be shared with payroll, your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.

The Union will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Union will then share your data with former employers to obtain references for you, our IT supplier or to employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks. In those circumstances the data will be subject to confidentiality arrangements.

The Union also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.

- HMRC as a legal and necessary for the performance of a contract,
- NEST and Aegon (pension providers) and Assured Futures Ltd (death in service insurance provider) as necessary for the performance of a contract.
- StaffSavvy (work scheduling and payroll software) as necessary for the performance of a contract.
- Computershare (benefits provider – permanent staff), necessary for the performance of a contract.
- Sage HR/Payroll (employee management system) for HR and business administration, necessary for the performance of a contract and financial planning purposes.
- Perkbox (benefits provider – permanent staff) for HR and business administration purposes.
- University of Hertfordshire (IT & Occupational Health) for provision of UH membership and Occupational Health services
- Stonegate (IT support company) for offsite IT support

The Union will not transfer your data outside the European Economic Area.

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## How does the Union protect data?

The Union takes the security of your data seriously. It has 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. Further details can be found in our Data protection policy.

Where the Union engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## For how long does the Union keep data?

If your application for employment is unsuccessful, the Union will hold your data on file for six to twelve months after the end of the relevant recruitment process. At the end of that period or once you withdraw your consent, 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 is held after the end of employment are set out in the Data protection policy.

## Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the Union to change incorrect or incomplete data;
- require the Union 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 the Union is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact our data controller as above.

If you believe that the Union has not complied with your data protection rights, you can complain to the Information Commissioner.

## What if you do not provide personal data?

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

You have some obligations under your employment contract to provide the Union with data. In particular, you are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Union with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

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Certain information, such as contact details, your right to work in the UK and payment details, have to be provided to enable the Union to enter a contract of employment with you. If you do not provide other information, this will hinder the Union's ability to administer the rights and obligations arising as a result of the employment relationship efficiently.

**Automated decision-making**

Recruitment processes are not based solely on automated decision-making.

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