Candidate Privacy Notice

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Purpose

Surviving Economic Abuse ("we", "us", "our", "SEA") is a charity registered with the Charity Commission for England and Wales (charity number: 1173256). Our registered office is located at 483 Green Lanes, London, N13 4BS.

SEA is a "data controller". This means we decide how and why we collect, hold and use your personal data (also known as personally identifying information, or PII).

You are receiving this privacy notice because you are applying for work with us (whether as an employee, worker or volunteer, including freelancer or contractor, each a "candidate").

This privacy notice explains how and why we will use your personal data as part of the recruitment process, and how long we usually keep it. It also sets out information we are required to provide under the applicable laws, including the UK GDPR and the Data Protection Act 2018.

In this privacy notice, references to "UK GDPR" refer to the version of the EU General Data Protection Regulation (EU) 2016/679 which has been incorporated into the laws of the United Kingdom by virtue of section 3 of the European Union (Withdrawal) Act 2018.

Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and transparently.

- Collected only for specified, explicit and legitimate purposes that we have explained to you and not used in any way that is incompatible with those purposes.
- Adequate, relevant and limited to that is necessary for the purposes we have told you about.
- Accurate and, where necessary, kept up to date.
- Kept only for as long as necessary for the purposes we have told you about.
- Kept securely.

Personal data we hold about you

In connection with your application for work with us, we will collect, store, and use the following categories of personal data about you:

- The information you provide to us in your curriculum vitae and covering letter.
- The information you provide on our application form, including your name, title, address, telephone number, personal email address, education history, date of birth, gender, employment history and qualifications.
- Any information you provide to us during your interview the recruitment process, which may include your bank details, salary, tax info, and NI number.
- Any information you provide to us during any test or assessment, and the results of that test or assessment.

We may also collect, store and use the following types of more sensitive personal data, which amounts to "special category data" under the UK GDPR:

- Information about your race or ethnic origin, religious or philosophical beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, and any information you share about reasonable adjustments.

In addition, we may collect, store and use information about criminal convictions and offences (where relevant to the role and permitted by law).

To the extent that we collect information about your gender identity, we will treat this as highly sensitive personal data and apply the same safeguards as we apply to special category data under the UK GDPR. Such data will only be collected where necessary, will typically be provided on a voluntary basis and will be accessed only by authorised

personnel for limited purposes (such as diversity monitoring), and will not be used to inform recruitment decisions.

How do we collect your personal data?

We collect personal data about candidates from the following sources:

- You, the candidate.
- Recruitment agencies, including name, curriculum vitae information, education, previous work history, contact details.
- Background screening provider (where applicable): identity and right to work verification, and checks to confirm employment history, education and professional qualifications. Depending on the role, this may also include other screening such as sanctions screening or financial checks.
- The Disclosure and Barring Service (DBS), in connection with criminal record (DBS) checks (at the relevant level for the role). Checks may be completed using a background screening provider.
- Your named referees, from whom we collect: references relating to your employment history and suitability for the role (for example, job title, dates of employment, and where provided, confirmation of responsibilities and performance).
- Publicly available sources, such as LinkedIn, where relevant to your application.

How we will use your personal data

We will use the personal data we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background checks and take up references (where applicable).
- Communicate with you about the recruitment process.
- Keep records related to our recruitment and hiring processes.
- Comply with legal or regulatory requirements;

Our lawful basis for processing your personal data

There are a number of different ways that we are lawfully able to process your personal data. We have set these out below. Among them, we primarily rely on the basis of legitimate interests and/or because it is necessary to take steps at your request before entering into a contract.

- **Legitimate interests:** Where using your data is in our legitimate interests, except where such interests are overridden by your interests or fundamental rights or freedoms which require protection of personal data
    - We are allowed to use your personal data where it is in our interests to do so, and those interests are not outweighed by any potential prejudice to you.
    - It is in our legitimate interests to decide whether to appoint you to the role, as it is beneficial to SEA to recruit and appoint a suitable candidate.
    - You have the right to object to us processing your personal data on this basis. We have set out details regarding how you can go about doing this in the "Your rights" section below.
- **Contract:** Where processing is necessary in order to take steps at your request prior to entering into a contract
    - We may need to process your personal data to take steps at your request before entering into a contract with you, and to decide whether to enter into a contract of employment (or other contract for services) with you.
    - As part of our recruitment process, this includes the following:
        - Having received your curriculum vitae and covering letter/application form and (where applicable) the results from any test you took as part of the recruitment process with us, we will process that information to decide whether you meet the basic requirements to be shortlisted for the role.
        - If you do, we will decide whether your application is strong enough to invite you to interview.
        - If we invite you to interview, we will use the information you provide to us during the interview process to decide whether to offer you the role or work.

        - If we decide to offer you the role or work, we will then take up references and/or carry out a DBS check and/or other pre-employment checks before confirming your appointment.

- Consent: Where you give us your consent to use your personal data
    - We are allowed to use your data where you have specifically consented.
    - We may ask you for specific consents to allow us to use your data in certain ways (for example, if we ask to keep your details on file for future opportunities beyond the initial six month retention period). If we require your consent for anything else in the future, we will provide you with sufficient information so that you can decide whether or not you wish to consent.
    - You have the right to withdraw your consent at any time.

If you fail to provide personal data

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we may not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we may not be able to take your application further.

Special category data

We will use your special category data in the following ways:

- We will use information about your health (such as disability status) to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview or when attending one of our events.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, your sexual orientation or political opinions, to ensure meaningful equal opportunity monitoring and reporting in accordance with any governing legislation. Where possible, this will be in anonymised/aggregated form.

In addition to the above lawful basis for processing, we also reply on the following conditions to process your special category data:

- **Substantial public interest** (UK GDPR Article 9 (2)(g)), such as DPA 2018 Sch.1 Pt 2 para 8 – **Equality of opportunity or treatment**
    - We are permitted to process your special category data where it is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people, with a view to enabling such equality to be promoted or maintained.
    - For example, we may process information about your ethnicity, disability, or other protected characteristics in an anonymised or aggregated form in order to monitor the diversity of candidates applying for roles with us and to ensure that our recruitment practices meet our equality and inclusion commitments.
    - We will only process your special category data on this basis where doing so is carried out with appropriate safeguards for your rights and freedoms.
- Employment, social security and social protection law
    - We are permitted to process your special category data where it is necessary for the purposes of carrying out our obligations or exercising our rights, or your rights, in connection with recruitment and prospective employment.
    - For example, we may need to process information about your health or disability in order to make reasonable adjustments to our recruitment process to accommodate your needs, in compliance with our obligations under the Equality Act 2010.
    - We may also process information about your health or disability where it is relevant to assessing your ability to carry out the role you have applied for, where this is strictly necessary and permitted by law.
- **Your explicit consent**
    - We are permitted to process your special category data where you have given your explicit consent to us doing so for one or more specified purposes.
    - We may ask for your explicit consent in specific circumstances, for example, where we wish to retain sensitive information about you beyond our standard retention periods following the conclusion of a recruitment process, or where we wish to consider you for future opportunities.

- Where we rely on your explicit consent, we will provide you with clear information about what you are consenting to before asking you to agree, so that you can make a fully informed decision.
- You have the right to withdraw your explicit consent at any time. Withdrawing your consent will not affect the lawfulness of any processing carried out before the withdrawal. Please see the "Your Rights" section below for details of how to exercise this right.

Information about criminal convictions

We may process information about criminal convictions and offences, where this is relevant to the role and permitted by law.

Where a criminal record (DBS) check is required for a role, we will only request it after we have made a conditional offer of employment (or a contract for services). The level of check will depend on the nature of the role and the legal basis for requesting it. This may include:

- a Basic DBS check (for roles where this is appropriate); and/or
- a Standard or Enhanced DBS check (including, where relevant, a check of the children's and/or adults' barred lists) only where the role is eligible for such a check under applicable law.

If we request a DBS check, we will explain why it is required, what level of check will be carried out, and how the information will be used.

We have an appropriate policy document and safeguards in place, as required by law, when processing this information.

Automated Decision-Making

As part of the recruitment process, third-party recruitment platforms may use automated screening questions to assess candidates against role requirements.

This means that your responses to such questions may be used to automatically assess whether your application progresses to the next stage. In some cases, this may result in an automated decision not to progress your application. If an application is not progressed based on automated screening, you can ask us to review the decision. A member of our team will then look at your application and the information you provided.

Data sharing

Why might you share my personal data with third parties?

We may share your personal data with the following third parties for the purposes of processing your application: recruitment agency, applicant tracking system provider, background check provider, occupational health provider (if relevant).

All our third-party service providers are required to take appropriate security measures to protect your personal data in line with our policies. When we share data with them, we ensure appropriate contractual and confidentiality safeguards are in place. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Data security

We have put in place appropriate security measures (e.g. multifactor authorisation, encryption) to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality. Details of these measures may be obtained from recruitment@survivingeconomicabuse.org and/or dataprotection@survivingeconomicabuse.org.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

We will retain your personal data for a period of six months after we have communicated to you our decision about whether to appoint you to role or work. We retain your personal data for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. During this period, if a further opportunity arises that we may wish to consider you for, we may use your personal data

to contact you. After this period, we will securely destroy your personal data in accordance with our internal data retention policy.

If your application is successful, your personal data will be transferred to your personnel file and retained in accordance with our Workforce Privacy Notice and schedule.

If we wish to retain your personal data on file, on the basis that a further opportunity may arise in future (beyond the initial six month retention period) and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal data for a fixed period for that purpose.

Your rights

Your rights in connection with personal data (other than the right to withdraw consent)

Under certain circumstances, by law you have the right to:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data in certain circumstances. Normally, this right exists where:
    - the data are no longer necessary;
    - you have withdrawn your consent to us using your data, and there is no other valid reason for us to continue;
    - the data has been processed unlawfully;
    - it is necessary for the data to be erased in order for us to comply with our obligations under law; or
    - you object to the processing and we are unable to demonstrate overriding legitimate grounds for our continued processing.
- Object to processing of your personal data where we are relying on legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to another party.
- Raise a complaint directly with us by emailing complaints@survivingeconomicabuse.org. We take all complaints seriously and will acknowledge your complaint within 30 days and endeavour to respond to your concern promptly. If you are not satisfied with our response, or if you believe that we are processing your personal data unlawfully, you also have the right to lodge a complaint with the Information Commissioner's Office (ICO), the UK's data protection supervisory authority. Please see the section titled "Questions or complaints" below for further information.

If you want to exercise any of the above rights, please contact recruitment@survivingeconomicabuse.org and/or dataprotection@survivingeconomicabuse.org.

Right to withdraw consent

In most cases, we process your personal data for recruitment purposes on the basis of legitimate interests and/or because it is necessary to take steps at your request before entering into a contract.

Where we rely on your consent to process your personal data (for example, if we ask to keep your details on file for future opportunities beyond the initial six month retention period), you have the right to withdraw your consent at any time. To withdraw your consent, please contact dataprotection@survivingeconomicabuse.org.

Once we have received notification that you have withdrawn your consent, we will no longer process your personal data for the purpose(s) you originally consented to. This will not affect the lawfulness of any processing carried out before you withdrew your consent. We will securely delete your personal data used for that purpose, unless we are required or permitted to retain some information in line with the 'Data retention' section above (for example, for six months after we communicate our recruitment decision), including where necessary to comply with legal obligations and/or to establish, exercise or defend legal claims and, subject to our retention policy, we will dispose of your personal data securely.

Questions or complaints

SEA is responsible for compliance with this privacy notice. If you have any questions about

this privacy notice or how we handle your personal data, please contact dataprotection@survivingeconomicabuse.org.

If you have any concerns about how we handle your personal data, you have the right to raise a complaint directly with us by emailing complaints@survivingeconomicabuse.org . We take all complaints seriously and will acknowledge your complaint within 30 days and endeavour to respond to your concern promptly.

If you are not satisfied with our response, or if you believe that we are processing your personal data unlawfully, you also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), who is responsible for data protection issues in the UK. You can complain at:

> Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
> Phone: 0303 123 1113
> Email: casework@ico.org.uk
> Website: https://www.ico.org.uk/make-a-complaint

We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Acknowledgment – for worker candidates only (e.g. contractors, freelancers, volunteers)

(Employee candidates will be asked to acknowledge this notice as part of the online application form)

I,_____ (candidate name), acknowledge that

on_____(date), I received a copy of SEA's Candidate Privacy Notice and that I have read and understood it.

Signature..... Name.....