



# Soil Association Candidate Privacy Notice

## Purpose of this document

The Soil Association is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being provided with a copy of this privacy notice because you are an external applicant applying for work with us, whether as an employee, casual worker, volunteer or contractor.

This notice makes you aware of how and why your personal data will be used, namely for the purposes of our recruitment process, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation (GDPR).

## Data protection principles

The Soil Association will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

## The kind of information we hold about you

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

- The information you have provided to us in your CV, covering letter or application form.
- Any information you provide to us during an interview.
- Any information gathered during any testing you do as part of the interview process.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

## **How your personal data is collected**

We collect personal information about applicants from the following sources:

- You, the applicant.
- Recruitment agencies, from which we collect the following categories of data:
  - information provided in a CV and information provided during an interview with the recruitment agency.
  - Disclosure and Barring Service (DBS) in respect of criminal convictions.
  - Your named referees.

For applicants applying for employment or casual work we will collect the following categories of data from named referees:

- Your salary and job title on leaving
- Your referee's relationship to you
- The dates you worked for your referee
- What your referee's experience was of working with you
- Your referee's view of your strengths and weaknesses
- How well you fitted the requirements of the job description
- How closely your skills and experience matched those of the job description
- Your reliability and absence record
- Whether your referee would re-employ you and, if not, why not
- Whether it's your referee's policy to re-employ
- Any other comments they wish to make

The following data from third parties is from a publicly accessible source:

- Linked In

## **How we use the information about you**

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

- Assess your skills, qualifications, and suitability for the work.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our recruitment and selection processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the role or work you have applied for, since it would be beneficial to our business to appoint someone to carry out that work.

We also need to process your personal information to decide whether to enter into a contract with you. Depending on the nature of the relationship this contract will

either be a contract of employment, a casual workers' agreement or contract for services.

Having received your CV, covering letter or application form 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 for an interview. If you are interviewed, we will use the information you provide to us at the interview and in any testing to decide whether to offer you the role or work.

If we decide to offer you the role or work, before confirming your appointment, we will take up references, confirm your right to work in the UK by checking your passport or VISA and, where appropriate, carry out a DBS check.

### **If you fail to provide personal information**

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 will not be able to process your application successfully. For example, if we require references for a role and you fail to provide us with relevant details, we will not be able to take your application further or could withdraw an offer of employment.

### **How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your 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.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

### **Information about criminal convictions**

We envisage that we may process information about criminal convictions.

We may collect information about your criminal convictions history if we would like to offer you work or a role which is conditional on checks and any other conditions, such as references, being satisfactory. We are required to carry out a criminal record check to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

- We are legally required by the DBS to carry out criminal record checks for those carrying out a role working with Children/ young people/ Adults at Risk that meets the criteria for a DBS check in accordance with the guidelines on the Gov.uk website.

We would follow the process in line with our DBS Policy and safeguards which we are required by law to maintain when processing such data.

### **Automated decision making**

We may on occasion apply an automated decision-making process into our application stage but this criteria will be carefully applied and only where the requirement is necessary and essential for the contract.

### **Data sharing**

We will only share your personal information with the following third parties for the purposes of processing your application: ESafeguarding (for a DBS check). All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. 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 to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the contacts named in this Notice

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**

We will retain your personal information for a period of 6 months after we have communicated to you our decision about whether to appoint you to a role or contract you to work with us.

We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against applicants for employment on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our Data Retention policy.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

## **Rights of access, correction, erasure, and restriction**

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

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information 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 information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the those named below in writing.

## **Right to withdraw consent**

When you applied for this role, you provided consent on the date you applied to us to allow us to process your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact the those named below in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

## **Contact**

We have appointed a senior manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact: Martin Dawson (Chief Operating Officer), Spear House, 51 Victoria Street, Bristol BS1 6AD.

You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

