

# TOUCHSTONE'S - PRIVACY NOTICE

## RECRUITMENT AND SELECTION PROCESS – FOR JOB APPLICANTS

### What is the purpose of this document?

Touchstone is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during the recruitment process and after, in accordance with the General Data Protection Regulation (GDPR).

This applies to people who apply for jobs with Touchstone

Touchstone is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to people who apply for jobs with Touchstone.

It is important that you read this notice, together with any other privacy notice we may provide when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

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

### The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Recruitment information (including copies of right to work documentation, references and other information including application form as part of the application process).

- Photographs.

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

- Information about your age, gender, disability race or ethnicity, religious beliefs, sexual orientation, length of service
- Information about your health, including any medical condition.
- Information about criminal convictions and offences.

### **How is your personal information collected?**

We collect personal information about people applying for jobs through the application and recruitment process, either directly from candidates or from previous employers, sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including, credit reference agencies or other background check agencies.

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

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to comply with a legal obligation.
2. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
3. Make a decision about your recruitment or appointment,
3. Equality and Diversity monitoring

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

### **Situations in which we will use your personal information**

We need all the categories of information in the list above primarily for recruitment purposes and monitoring the diversity of people who apply and gain jobs with Touchstone.

The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you may work for us.
- Checking you are legally entitled to work in the UK.
- Education, training and development requirements.
- Equality and diversity monitoring.

- Checking you can work with vulnerable people eg carrying out DBS checks in accordance Rehabilitation of Offenders Act 1974 (Exception) Order 1975 and Police Vetting checks for certain posts.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

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

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations (such as safeguarding of the vulnerable people Touchstone supports).

### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

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

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our Confidentiality and Data Protection Policies.
3. Where it is needed in the public interest, such as for equal opportunities monitoring and in line with our Confidentiality and Data Protection Policies.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about job applicants in the course of legitimate business activities with the appropriate safeguards.

### **Our obligations:**

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

- We will use information about your physical or mental health, or disability status, to ensure to provide appropriate workplace adjustments,
- We will use information about your gender, age, disability or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual orientation, to ensure meaningful equal opportunity and diversity monitoring and reporting.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law.

## Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Recruitment, Safeguarding, Confidentiality and Data Protection Policies

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you when applying for the post. We will use information about criminal convictions and offences in the following ways:

- We will carry out risk assessment in accordance with the job requirements, safeguarding in order to ensure that the individual and service users/carers and other appropriate individuals are protected.

We are allowed to use your personal information in this way as we work with vulnerable people and we use this information to ensure we carry out our statutory, legal and safeguarding obligations.

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 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 Finance Director

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 only retain your personal information for as long as necessary, which will be no longer than one year, unless you are appointed to a post within Touchstone, where we will keep this in line with the privacy statement for employees.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, or contractor of the company we will retain and securely destroy your personal information in accordance with Retention Policy.

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

### Your rights in connection with personal information

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 particular 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 HR Director in writing.

#### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

#### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

#### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact HR Director. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

#### **Data protection officer**

The Finance Director has responsibility for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Finance or HR Directors. You 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.]

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact HR Director or Finance Director**