

SPCB Privacy Notice

This privacy statement explains how we collect and use personal information about you for the following process:

Recruitment of Scottish Parliamentary Corporate Body Staff

The categories of information processed

For assessing your application, we process **normal category** data such as your title, name, home address, email address, telephone number, qualifications, previous employment history, employment reference addresses, skills and experiences.

We also ask for **special category** data for monitoring of equal opportunity and treatment which may include information such as your gender, ethnicity, nationality, sexual orientation, disability, religion/belief. Our equal opportunities monitoring form also asks for your date of birth which is normal category data. The completion of the equal opportunities form is voluntary.

*Special category personal data consists of information about racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Source of the information

At this stage in the recruitment process all personal data will be provided by the applicant (the data subject).

The purpose(s) of the processing

We will process your personal information to enable us to consider your suitability for an advertised job vacancy. This may include collecting your personal information, recording it, storing it, using it, amending it and destroying it.

In general, we process your personal information to:

- Assess your suitability for an advertised job vacancy;
- Make a decision about your recruitment or appointment; and
- Contact you in relation to your application.

Provision may be made for interviews to take place on the telephone or using suitable video conferencing software such as Microsoft Teams. In this event the meeting will not be recorded although notes may be taken of your responses to questions during the interview.

Personal data will be reviewed in order to assess suitability for an advertised job vacancy and will be stored securely on a UK based third party cloud-based system (see below).

The legal basis of processing

We must have a legal basis for processing personal data (including normal and special category data) in terms of Article 6 of the General Data Protection Regulation (GDPR). To process special category data, we also require a separate condition for processing in terms of Article 9 GDPR and, where applicable, a public interest condition in terms of part 2, schedule 1 of the Data Protection Act 2018 (DPA).

The processing of personal data for the purposes of staff recruitment, including pre-employment checks is necessary for legitimate interests of the SPCB (Article 6(1)(f) GDPR), to select a suitable employee for an advertised position.

When an appointment has been made the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Art 6(1)(b) GDPR).

The processing of special categories of data is necessary to exercise or perform employment law rights and obligations and to review equality of opportunity or treatment. The processing is necessary for reasons of substantial public interest (Article 9(2)(g) GDPR and paragraph 8, part 2, schedule 1 of the DPA) as the processing is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatments between groups of people with a view to enabling such equality to be promoted and maintained. Applicants are not under an obligation to provide the data to us.

Where we offer a place on a reserve list or applicants bank, we will seek your consent separately for holding your personal data for that purpose.

Data sharing

Your application will be anonymised, and your name will only be supplied to the selection panel at interview stage.

There will be some automated processing depending on the answers you give to screening questions. For instance, if you answer “no” to the right to work in the UK, your application may be automatically declined, and an automated email sent. Similarly, objective selection questions may generate an automated response that declines your application. There will be no automated processing in relation to free text information.

Your personal details will be processed through a third-party recruitment system (Eploy), stored on their computer system and accessed by authorised Eploy employees for the purposes of managing the recruitment system. Eploy use UK data centres to store this information and any personal data stored is protected by [multiple tiers of security](#).

More information about the third-party provider’s privacy policy can be found [here](#)

Information about their security status can be found [here](#)

For the purposes of assessing your suitability for an advertised job vacancy you may be required to undertake psychometric testing via our third-party supplier, Kornferry.

In this event, limited personal information about you, including your email address, name and gender will be shared with Kornferry for the purposes of carrying out psychometric testing.

If you disclose that you have a disability, then we may require to share some special category data relating to your disability with Kornferry for the purposes of making reasonable adjustments that may be required to enable you to complete the test. We will not disclose more information than is necessary for this purpose.

Kornferry is a data controller of this information once it is provided to them. The privacy notice for Kornferry can be accessed [here](#) together with a link to their security and GDPR statements.

Your personal data will be held by Kornferry within the EEA. If you wish to delete your personal information from Kornferry's data base, then you can either get in touch with Kornferry directly or contact us in which event we will instruct Kornferry to delete candidate personal identifiers and test result reports in line with our retention schedule for recruitment data.

We may also share your personal data with MHS assessments who we use as a platform to administer emotional intelligence quotient questionnaires. To complete the questionnaire, we will process your name and email address whereupon you will be issued with a link to the website in order to complete the questionnaire. Once completed the report will be held securely and deleted in accordance with our privacy notice.

Personal data collected and received by MHS will be transmitted and stored in the US with a third-party cloud services provider which complies with the US-EU privacy shield framework.

The security policy for MHS can be accessed [here](#)

And the privacy policy can be accessed [here](#)

We will not pass your personal details to any other third party.

Retention of data

Personal details for unsuccessful applications will be retained for one year then applicants will be given the opportunity to consent for their details to be held on the system. If consent is withdrawn, or there is no response, then candidate details will be automatically anonymised within the system. Anonymisation completely removes any personal information, candidates can no longer be identified, and the process cannot be reversed.

Where applicants are unsuccessful but pass the board, applicants will be placed on a reserve list with their consent for up to 12 months in case any future positions become available.

Personal details held as part of successful recruitment applications will be retained till the end of an individual's employment plus 5 years.

Your rights

The GDPR sets out the rights which individuals have in relation to personal information held about them by data controllers. These rights are listed below, although whether you will be able to exercise each of these rights in a particular case may depend on the purpose for which the data controller is processing the data and the legal basis upon which the processing takes place.

The right to object to the processing of personal data does not apply where personal data is processed for the performance of a contract in respect of which the data subject is a party.

The following rights may apply:

Access to your information – You have the right to request a copy of the personal information about you that we hold. For further information, see our Data Subjects' Access Requests Policy.

Correcting your information – We want to make sure that your personal information is accurate, complete and up to date and you may ask us to correct any personal information about you that you believe does not meet these standards.

Deletion of your information – You have the right to ask us to delete personal information about you where:

- You consider that we no longer require the information for the purposes for which it was obtained.
- We are using that information with your consent and you have withdrawn your consent – see *Withdrawing consent to using your information* below.
- You have validly objected to our use of your personal information – see *Objecting to how we may use your information* below.

Objecting to how we may use your information – Where we use your personal information to perform tasks carried out in the public interest or for a legitimate interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

Restricting how we may use your information – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information about you that we hold or assessing the validity of any objection you have made to our use of your information. The right might also apply where this is no longer a basis for using your personal information, but you don't want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Withdrawing consent using your information – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

Alternatively, applicants can at any time access the system and access, correct, update or remove consent for us to hold the information they have given. Upon removing consent, we will fully anonymise any information we hold about them, a process that cannot be reversed.

Please contact us in any of the ways set out in the *Contact information and further advice* section if you wish to exercise any of these rights.

Changes to our privacy statement

We keep this privacy statement under regular review and will place any updates on this website. Paper copies of the privacy statement may also be obtained using the contact information below.

This privacy statement was last updated on 7 May 2020 and will be reviewed within 12 months if not updated prior to that.

Contact information and further advice

If you have any further questions about the way in which we process personal data, or about how to exercise your rights, please contact the Head of Information Governance at:

The Scottish Parliament

Edinburgh

EH99 1SP

Telephone: 0131 348 6913 (Calls are welcome through the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL.](#))

Email: dataprotection@parliament.scot



HAPPY TO **TRANSLATE**

Please contact us if you require information in another language or format.

Date	Version	Summary of changes
29/05/2019	1.0	
07/05/2020	2.0	Privacy Notice updated to include reference to the Data Protection Act 2018 and the definition of special category data. To include changes to the section on “The legal basis for processing” to include the processing of

	special category data and the section on “Your rights” to reflect the legal basis for processing. To include reference to the right to make a complaint to the ICO and minor formatting changes.
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