

## **Privacy Statement**

### **Job applicants, current and former employees**

Action for Children is the data controller for the information you provide during the process unless otherwise stated. If you have any queries about the process or how we handle your information please contact us at [recruitment@actionforchildren.org.uk](mailto:recruitment@actionforchildren.org.uk). Action for Children is the data controller for the information you provide during the process unless otherwise stated. If you have any queries about the process or how we handle your information please contact us at [recruitment@actionforchildren.org.uk](mailto:recruitment@actionforchildren.org.uk). Our permanent recruitment and disclosure services are outsourced to the Guidant Global (who is a subsidiary of Impellam Group Limited), they will have access to the information on eArcu for the purposes of your application for employment with Action for Children/ Action for Children Developments Ltd (t/a "Spring Nurseries").

### **Purpose and lawful basis for processing**

Our purpose for processing this information is to assess your suitability for a role you have applied for and to help us develop and improve our recruitment process.

The lawful basis we rely on for processing your personal data is article 6(1)(b) of the GDPR\*, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract.

If you provide us with any information about reasonable adjustments, you require under the Equality Act 2010 the lawful basis we rely on for processing this information is article 6(1)(c) to comply with our legal obligations under the Act.

The lawful basis we rely on to process any information you provide as part of your application which is special category data, such as health, religious or ethnicity information is article 9(2)(b) of the GDPR, which relates to our obligations in employment and the safeguarding of your fundamental rights. The processing condition is Schedule 1 part 1(1) of the DPA2018 which again relates to processing for employment purposes.

We process information about applicant criminal convictions and offences. The lawful basis we rely on for processing your personal data is article 6(1)(b) of the GDPR, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract. The processing condition is Schedule 1 part 1(1) of the DPA2018 which again relates to processing for employment purposes.

\*The General Data Protection Regulation (GDPR) has been retained in domestic law now the Brexit Transition period has ended. The "UK GDPR" sits alongside an amended version of the Data Protection Act (DPA) 2018.

### **What will we do with the information you provide to us?**

All the information you provide during the process will only be used for the purpose of progressing your application with a view of potentially offering an employment contract, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide during the recruitment process with any third parties for marketing purposes or store any of your information outside of the European Economic Area. The information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format.

We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for. We may also contact you to request your feedback about our recruitment process.

### **What information do we ask for, and why?**

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.

The information we ask for is used to assess your suitability for employment. You don't have to provide what we ask for but it might affect your application if you don't.

We will use any feedback you provide about our recruitment process to develop and improve our future recruitment campaigns.

### **Application stage**

If you use our online application system, this will be collected by our data processor eArcu on our behalf.

We ask you for your personal details including name, contact details and an updated curriculum vitae. We will also ask you about your previous experience, education, referees (to be provided if you are successful in securing the role) and for answers to questions relevant to the role you have applied for. Our recruitment team will have access to all this information.

You will also be asked to provide equal opportunities information. This is not mandatory – if you do not provide it, it will not affect your application. This information will not be made available to any staff outside of our recruitment team, including hiring managers, in a way which can identify you. Any information you do provide, will be used only to produce and monitor equal opportunities statistics.

### **Shortlisting**

Our hiring managers will shortlist applications for interview. They will not be provided with your equal opportunities information if you have provided it.

### **Assessments**

We might ask you to participate in assessment days; complete tests or occupational personality profile questionnaires; and/or to attend an interview – or a combination of these. Information will be generated by you and by us. For example, you might complete a written test or we might take interview notes. This information is held by Action for Children.

### **Conditional offer**

If we make a conditional offer of employment we will ask you for information so that we can carry out pre-employment checks. You must successfully complete pre-employment checks to progress to a final offer. We are required to confirm the identity of our staff, their right to work in the United Kingdom and seek assurance as to their trustworthiness, integrity and reliability.

You will therefore be required to:

- Provide proof of your identity – you will be asked to provide your original documents; we will require copies.
- Provide proof of your qualifications – you will be asked to provide original documents; we will require copies.
- To complete a criminal records declaration to declare any unspent convictions.
- Provide your email address to the relevant Disclosure Body to enable an application for a Criminal Record check via the DBS, Disclosure Scotland, or Access NI, which will verify your declaration of unspent convictions.
- Provide details for referees whom we will contact, using the details you provide as part of the onboarding checks, directly to obtain references
- Complete a questionnaire about your health. This is to establish your fitness to work and where appropriate will be referred to our Occupational Health service. This is done through a data processor (please see below).
- Share any reasonable adjustments you may require under the Equality Act 2010. This information will be shared with relevant ICO staff to ensure these are in place for when you start your employment.

If we make a final offer, we will also ask you for the following:

- National insurance number and bank details – to process salary payments
- Emergency contact details – so we know who to contact in case you have an emergency at work

## Use of data processors

Data processors are third parties who provide elements of our recruitment service for us. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct.

### 1. Guidant Global

Our permanent recruitment and disclosure services are outsourced to the Guidant Global (who is a subsidiary of Impellam Group Limited), they will have access to the information on eArcu for the purposes of your application for employment with Action for Children/Spring Nurseries.

Here is a link to their Privacy Notice - <https://www.guidantglobal.com/privacy>

### 2. eArcu

If you use our online application system, you will provide the requested information to eArcu who provide this online service for us. Once you click 'apply now' you will be taken to eArcu website and they will hold the information you submit but Action for Children will have access to it.

Here is a link to their Privacy Notice. <http://www.earcu.com/privacy>

### 3. MHR

If you accept a final offer from us, some of your personnel records will be held on MHR Itrent which is an internally used HR information system.

Here is a link to their Privacy Notice - <https://www.mhr.co.uk/privacy-policy/>

### 4. PAM Group

PAM Group provide our Occupational Health service. If we make you a conditional offer, we will ask that you complete a questionnaire which will help to determine if you are fit to undertake the work that you have been offered, or advise us if any adjustments are needed to the work environment or systems so that you may work effectively.

We will send you a link to the questionnaire which will take you to PAM Group website. The information you provide will be held by PAM Group who will provide us with a fit to work certificate or a report with recommendations. You are able to request to see the report before it is sent to us. If you decline for us to see it, then this could affect your job offer. If an occupational health assessment is required, this is likely to be carried out by PAM Group.

Here is a link to their website where you can review their Privacy Notice - <https://www.pamgroup.co.uk/>

### 5. GBG Online Disclosure, Access NI, Disclosure Scotland & Security Watchdog

The above parties complete criminal record check on behalf of Action for Children. If you are successfully selected for a role then we will provide you with instructions on how to complete these either online or via post.

Here is a link to their Privacy Notice

GBG Online – <https://www.gbgplc.com/uk/privacy-policy>

Access NI – <http://www.accessnichecks.co.uk/privacy>

Disclosure Scotland – <https://www.mygov.scot/privacy/>

Security Watchdog - <https://www.securitywatchdog.org.uk/candidate-zone>

**How long is the information retained for?**

## Employee Files

If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. This includes your criminal records declaration, fitness to work, records of any security checks and references. Your Right to Work check will be kept for 2 years after employment ceases.

## Recruitment Files

If you are unsuccessful at any stage of the process, the data is archived after an application has been in a status for 365 days, unless you make a request to the Recruitment Service to remove this. The exception to this is if you have been Hired in which case, they are stored in the eArcu system for 2555 days.

If you have created a profile, it will be retained in the eArcu system for a minimum of 365 days after creation. Profiles that have existed in the system for more than 365 days and have no applications will be archived.

The exceptions to this rule are: -

1. Your profile has an active subscription to job alerts.
2. Your profile has explicitly consented to be contacted beyond this period i.e. in our talent or reserve pool

eArcu and Guidant Global will provide us with management information about our recruitment campaigns. This is anonymised information which tells us about the effectiveness of campaigns, for example, from which source did we get the most candidates, equal opportunities information for monitoring purposes. This anonymised information will be retained indefinitely years from the end of the campaign.

## How we make decisions about recruitment?

Final recruitment decisions are made by hiring managers and members of our recruitment team. All of the information gathered during the application process is taken into account.

You are able to ask about decisions made about your application by speaking to your contact within our recruitment team or by emailing [recruitmentsservice@actionforchildren.org.uk](mailto:recruitmentsservice@actionforchildren.org.uk).

## Your rights

Under the Data Protection legislation and GDPR, you have rights as an individual which you can exercise in relation to the information we hold about you. This can be done by emailing [recruitmentsservice@actionforchildren.org.uk](mailto:recruitmentsservice@actionforchildren.org.uk)

You can request to see any information we hold about you and ask to have any inaccuracies corrected.

You can read more about these rights here – <https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

## Complaints or queries

Action for Children tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of Action for Children's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below.

## Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated on 2<sup>nd</sup> March 2021

## How to contact us

If you want to request information about our privacy policy or to make a complaint you can email us or write

to:

Information Governance Team, Action for Children, 3 The Boulevard, Ascot Road, Watford, WD18 8AG or email [dataprotection@actionforchildren.org.uk](mailto:dataprotection@actionforchildren.org.uk)

If – having contacted us about the use of your personal information – you are unhappy with our response, you can register a complaint with the [Information Commissioner's Office](https://www.ico.org.uk/concerns) at: [www.ico.org.uk/concerns](https://www.ico.org.uk/concerns)