



JOB APPLICANTS (ONLINE CAREERS PORTAL) PRIVACY NOTICE

This Privacy Notice will illustrate how your personal data and, if applicable, special categories of personal data will be used by Link as part of our recruitment, selection and vetting processes for vacancies applied for through Link's Online Careers Portal. It will provide you with information about your rights under the General Data Protection Regulation (EU) 2016/679 [GDPR] and the Data Protection Act 1998 (as amended) [the Data Protection Legislation] and how to action these rights.

Who we are

The Link group of companies is committed to protecting your privacy. The Link group is made up of Link Group (the parent company), Link Housing Association, LinkLiving, Link Property, Horizon Housing Association, Larkfield Housing Association, West Highland Housing Association and Lintel Trust. Each member of the group is registered as a controller with the Information Commissioner's Office [ICO].

Each Link group company has entered into a Data Processing Agreement with the other Link companies which sets out clearly how and why information may be shared. This ensures that we can process your application at the same time as meeting our data protection obligations.

The Data Protection Principles

The data protection principles set out how personal data should be managed.

Principle	What Link has to do
1. Lawfulness fairness and transparency	We need to be clear and upfront about what we use your data for.
2. Purpose limitation	We will only use your data for specific reasons which are set out in this notice.
3. Data minimisation	We will only collect data which is necessary for us to facilitate the recruitment, selection and vetting processes.
4. Accuracy	We will ensure that any personal data we collect is correct and up to date.
5. Storage limitation	We will keep only what's necessary in line with our Data Retention Schedule.
6. Integrity and confidentiality	We will ensure we have appropriate security to protect the data we process about you.

We aim for this privacy notice to be clear but comprehensive and provide you with all the information you need to understand how we will manage your data.

What is Data?

Personal data means any identifiable information about a living person. This can include:

- Name and Address
- Telephone Number
- Date of Birth
- National Insurance Number
- Driving License Number
- Passport Number

Special categories of personal data are defined as personal data relating to a person's:

- Racial or ethnic origin
- Religious or other beliefs
- Health
- Genetic or biometric data used to uniquely identify a person e.g. photo

Link is a **controller** of your personal data. This means that we decide the **purpose** and conditions of **processing** of your personal data. Any supplier, contractor or other third party with whom we share data is called a **processor**.

What are the lawful bases for processing?

The **lawful bases for processing** are basically the legal justifications for processing your personal data. We have to make it very clear why we process your data. In processing your personal data or special category personal data, Link will rely on one or more of the following conditions of processing, depending on what we are using your personal data for:

For Personal Data

Consent	You have given your consent to the processing of your personal data.
Contractual	Processing of personal data is necessary for the performance of a contract with you or for Link to take pre-contractual steps at your request.
Legal Obligation	Processing of personal data is necessary for Link to comply with a legal obligation.
Vital Interests	Processing of personal data is necessary to protect your vital interests or another individual's vital interests (this means life or death situations).
Public Task	Processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority conferred on Link
Legitimate Interests	Processing is necessary for Link's legitimate interests or a third party's legitimate interests, unless these interests are overridden by your interests or fundamental rights.

Lawful bases for Processing Categories of Personal Data

Explicit Consent	You have given your explicit consent to the processing of your personal data.
Employment Law	Processing is necessary for carrying out obligations under employment, social security or social protection law.
Vital Interest	Processing is necessary to protect your vital interests of or another person's vital interests where the data subject is physically or legally incapable of giving consent.
Legal Claims	Processing is necessary for the establishment, exercise or defence of legal claims.
Public Interest	Processing is necessary for reasons of substantial public interest, under law.
Medical Diagnosis and Treatment	Processing is necessary for the purposes of the provision of health or social care or treatment or the management of health or social care systems.

Your Rights

You have a number of rights under the Data Protection Legislation which are outlined and explained below.

The right to be informed how your personal data is processed

This guide informs you how your data will be processed and sets out clearly Link's lawful basis for processing.

The right to access your personal data

You can submit a Subject Access Request to access the personal data that Link holds about you. You can do this by writing to:

Data Protection Officer
Link House
2c New Mart Road
Edinburgh
EH14 1RL

Or e-mailing: datamanagement@linkhald.co.uk

As part of the subject access request process we will ask for two forms of identification to be submitted before any information is released.

The right to rectification

If any of the personal data we hold about you is wrong or incomplete, you have the right to ask us to correct it or complete the data.

The right to erasure

You may request that Link erase any of your personal data that is processed by us. This is also known as the 'right to be forgotten'. Please note that this is subject to a number of exemptions and so is not an absolute right.

The right to restrict processing

If you believe that we are processing personal data unlawfully, where it is no longer needed or think that the personal data held is inaccurate you can ask us not to process that personal data. This also applies if you contested the accuracy or objected to processing and Link is considering this.

The right to data portability

The right to data portability applies when the lawful basis for processing is by automated means and you have provided Link with the personal data then you may request to obtain or reuse your personal data for your own purposes or to submit more than one application for a vacant post.

The right to object

You have the right to object to our processing of your personal data. However, if Link can demonstrate that there is a compelling reason to process such personal data then we may refuse to stop processing your personal data.

Rights in relation to automated decision-making and profiling

You have the right not to be subject to a decision solely based on automated processing. If a decision is made by an automated process you may ask Link to have the decision investigated by a member of staff.

How to action your rights under the Data Protection Legislation

If you wish to object to the use of your personal data, would like to restrict processing or have data rectified, please contact the Strategy and Business Support Team by e-mailing datamanagement@linkhaltd.co.uk.

The right to complain to the ICO

If you have a concern about the way Link is processing your personal data, you may raise a complaint with the Information Commissioner's Office.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113

Marketing

We will never share or sell your personal data to a third party for marketing purposes.

Security

Link takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. Electronic information that contains personal information is kept in secure systems. Laptop computers and other devices which can be taken out of the office are encrypted and password protected. Any paper files containing personal information are held in locked storage facilities.

Link's online careers portal provides job applicants with an online profile to securely store and submit their data to apply for a specified vacancy as and when the applicant chooses. Applicants manage this data securely through a username and password.

Link

Link Group's Human Resources [team] provides recruitment, selection and vetting services on behalf of all Link subsidiaries. Link collects and processes personal and special categories of personal data relating to job applicants in order to facilitate these processes as appropriate to the vacancy and services the job provides to our tenants, service users, organisation or staff.

This privacy notice covers the data contained in Link's online career portal, submitted for selection for a specified vacancy, once an offer of employment/contract for service is made including vetting process up to the start date with Link as either an employee or worker. On and after starting with Link your data is covered by a separate privacy notice.

What data we need

To allow us to provide these services we process the following information about you which may include:

- Link careers portal username and password;
- applications that have been submitted to a specified vacancy and new applications created in preparation to apply for a specified vacancy;
- your name, address and contact details, including email address and telephone number;
- details of your qualifications, professional memberships, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;

- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment, selection and vetting process;
- information about your entitlement to work in the UK;
- information to confirm your identity and proof of address;
- information on your relationship of any friends or relatives that are members of Link's Board of Management, Committees or staff;
- information on if you have a current driving licence and/or access to a vehicle;
- information on two appropriate individuals that can provide a reference on your suitability for the post in which you have applied;
- information on criminal convictions or offences;
- information on your skills, experience, competency, behaviors through selection assessments; and
- with your consent information on where you heard of the vacancy and equal opportunities monitoring information is not needed for the purposes of recruitment and selection so it is optional for you to provide.

Why we need it

We need your information to process your application for the following reasons:

- Link needs to process data prior to entering into a contract with you. It also needs to process your data to enter into a contract with you if your application is successful;
- Link needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment/contract for service starts;
- Link processes health information if it needs to make reasonable adjustments to the recruitment and selection process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to the Equality Act 2010;
- Link is obliged to seek information about criminal convictions and offences. Where the organisation seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment. for certain posts, as a provider of "regulated work" as defined by Scheduled 2 and 3 of the Protection of Vulnerable Groups (Scotland) Act 2007 and the Police Act 1997;
- Link has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows Link to manage the recruitment process, assess and confirm a job applicant's suitability for employment/engaging on a contract for service and decide to whom to offer a job/contract for service;

- Link may also need to process data from job applicants to respond to and defend against legal claims;
- where Link processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes and is at your discretion to provide;
- where Link relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not;
- Link will not use your data for any purpose other than the recruitment, selection and if appropriate vetting process for the post(s) in which you have applied.

Automated decision-making in the recruitment and selection process

Some of Link's recruitment processes are occasionally based on automated decision-making. At the beginning of the online application process you may be asked a number of questions that require a yes or no answer. The answers you provide to these questions may automatically end the application process as based on the information provided you do not meet the legal and/or essential criteria for the vacancy. For example, a question may ask if you have the right to work in the UK, if a job applicant answered no to the question, then the application would end and would not be taken forward to the recruitment and selection process. The job applicant is welcome to contact Link Human Resources to discuss the reason if this happens.

Who has access to your data?

Your information will be shared internally for the purposes of the recruitment, selection and vetting process. This includes members of the HR team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff/ system suppliers if access to the data is necessary for the performance of their roles and services.

Sharing your Information

The information you provide to us will be treated by us as confidential.

During the selection process Link will seek information from third parties as appropriate to the selection process for the post:

- when an applicant has advised they require a reasonable adjustment to participate in recruitment and selection process Link may seek independent medical advice from an Occupational Health provider to support making the appropriate reasonable adjustments;
- when a selection process requires the use of a third party to process the assessment, information will be provided to them to undertake this service on our behalf.

Link will seek information from the following third parties only once a job offer/contract for service has been made and verbally accepted and will inform you

that it is doing so. Link may disclose your information as appropriate to third parties who act for us for the purposes set out in this notice including the following:

- former employers and/or referees to obtain references for you and as an employment/contract for service background check;
- Pre-Employment Health Assessment Questionnaire is completed by you and sent directly to Link's Occupational Health Provider for processing. The outcome of the assessment is shared with Link and if appropriate to the outcome of the initial assessment, further medical reports or assessments may be required with your consent;
- based on the legal requirement of the post you have applied for, if you are not already a member of the Disclosure Scotland PVG Scheme, you will be required to complete and return an application form to obtain necessary criminal records and disclosure checks at the time and for the duration of your appointment to the post;
- based on the legal requirement of the post you have applied for, you may be required to complete a Disclosure Scotland criminal records and disclosure check at the time of appointment and every three years thereafter for the duration of your appointment to the post;
- based on the requirements of the post you have applied for you may require a driving licence and, if necessary, have access to a roadworthy vehicle with the required insurance to drive for business purposes. If this is the case, then your details will be provided to a third party to undertake these checks on our behalf;
- based on the requirements of the post, Link may need to validate that you have the required qualifications and/or professional memberships from the issuing body in circumstances e.g. Scottish Social Services Council;
- if necessary, Link may need to seek advice from regulatory bodies on your legal right to work in the UK;
- if necessary, Link may seek legal advice in relation to the processing of your application in relation to the recruitment, selection and vetting processes and outcomes.

Link will not transfer your data outside the European Economic Area.

Receiving data about you

We may receive information from third parties about you as outlined above.

What if you do not provide personal data?

You are under no statutory or contractual obligation to apply for a post within Link but if you submit an application you will be required to provide data to Link during the recruitment, selection and vetting process. However, if you do not provide the information, Link will not be able to process your application properly or at all.

If offered employment/contract of service, then you are under a pre-contractual obligation to provide data to Link to enable the vetting to be undertaken. Often these checks are required by a statutory obligation based on the job sector requirements

and work environment. Therefore, if you do not provide the information, unreasonably refuse consent for additional relevant information Link will not be able to complete the vetting and the offer of employment/contract for service will be withdrawn.

Where we store your data

Link collects this information in a variety of ways. For example, data might be contained in application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment including online tests.

Link will also collect personal data about you from third parties, such as references supplied by former employers, information from employment background check providers and information from criminal records checks. Data will be stored in a range of different places, including on your online careers portal account, application record, in HR management systems and on other IT systems (including email).

How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

We will generally keep your information for the following minimum periods after which this will be destroyed if it is no longer required for the reasons it was obtained.

Data/Document Type	Condition of Processing	Retention Period
Speculative CV's and information provided by potential job applicants and/or recruitment agencies unrelated to a specific current vacancy.	None applicable	Destroyed on receipt. Vacancies are advertised on the careers portal and Link only accepts applications for a vacant position when advertised.
Link Careers Portal – job applicant active profile account.	Consent	Legal basis of processing is consent therefore account will be active until requested to be closed by job applicant or it becomes inactive (see below).
Link Careers Portal – job applicant – inactive profile account.	Consent	Closed after 2 years from last log-on if account is inactive.
Unsuccessful job applicant data submitted in relation to a vacancy.	Consent and Contractual	7 months from the vacant post(s) being offered and accepted, unless there is a legal basis for retaining for a longer period.
Successful job applicant data submitted in relation to a vacancy.	Contractual	Transferred to employee/worker personnel file. The periods for which your data will be held will be provided to you in a new privacy notice.

Updating your information

If your details change, please either update the information in the careers portal directly, or if it is in relation to information submitted for a specific vacancy then contact Link Human Resources on jobs@linkhaltd.co.uk, 0330 303 0124 or in writing to Link Group Limited, Link House, 2c New Mart Road, Edinburgh, EH14 1RL to inform us to ensure that all of the information we hold about you is up to date.