

Information about how your data is collected, how it is used and the basis for processing your data during the recruitment process.

## **Introduction**

The Council is committed to being transparent about how it collects and uses data and to meeting its data protection obligations. As part of any recruitment process, the Council collects and processes personal data relating to job applicants.

At your request prior to entering into a contract with you, the Council has a legitimate interest in processing personal data to help it manage the recruitment process by assessing and confirming a candidate's suitability for employment, making a decision to whom to offer a job and for keeping records of the process.

The Council also needs to process data to ensure that it is complying with its legal obligations and has the required information to respond to and defend against legal claims. Other than that, personal data collected will not be used for any purpose other than the recruitment exercise for which you have applied.

If you have any queries about the process or how we handle your information, please contact us by emailing [recruitment@rbkc.gov.uk](mailto:recruitment@rbkc.gov.uk).

## **1. How does the Council collect your personal data?**

The Council collects this information in a variety of ways but mostly through information provided by you to support your job application. For example, data might be contained in application forms, CVs or résumés, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment, including online tests.

If you use our online application system, you will provide the requested information to a third-party recruiter, currently E-Recruiter who provide this online service for us. Once you click 'apply now' you will be taken to the E-Recruiter website and platform where the information you submit will be held. The Council will have access your information via this secure platform.

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

- All of the information you provide during the recruitment process will only be used for the purpose of progressing your application, 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 do not collect more information than we need to fulfil our stated purposes and we 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.

### **3. Application stage**

If you use our online application system, your personal details will be collected on our behalf by E-Recruiter our third-party data processor partner.

### **4. What information does the Council collect?**

The Council collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history referees and for answers to questions relevant to the role you have applied for.
- information about your current level of remuneration, including benefit entitlements;
- health information – to help confirm your suitability for the job if selected and also whether or not you have a disability for which the Council needs to make reasonable adjustments during the recruitment process;

- information about your entitlement to work in the UK;
- equal opportunities monitoring information - including information about your ethnic origin, sexual orientation, health, and religion or belief. This is not mandatory information – if you don't 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. Where identifiable data will be used, the Council would seek explicit consent of the job applicants, which can be withdrawn at any time.

## **5. Shortlisting**

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

## **6. 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 collated by and held by the recruiting panel Chair and later transferred to the E-Recruiter platform.

## **7. Unsuccessful candidates**

Your data will be retained at the HR department for 6 months after which it will be destroyed. However, you have a right to request for your information to be destroyed earlier.

## **8. Conditional offer**

If we make a conditional offer of employment, we will ask for information from you and third parties 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. To do this, we will therefore require you to provide the following:

- Proof of your identity – you will be asked to attend our office with original documents, e.g. passport, driving licence, and/or birth certificate. We will take copies of these.
- Proof of address – We will request you to bring in a household bill that was issued no longer than 3 months ago e.g. electricity, water and/or gas bill. We will take copies of these.
- Proof of your qualifications where relevant to the job – you will be asked to attend our office with original documents. We will take copies of these.
- References - we will contact your referees directly using the details you provide in your application, to obtain references from your former employers.
- Occupational Health Clearance - we will ask you to complete a questionnaire about your health which will help determine if you are suitable 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. This is done through our data process partners, Westminster City Council Occupational Health.
- Criminal records check - for some roles, the Council is obliged to seek information about criminal convictions and offences because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment. You will be advised if a Disclosure and Barring (DBS) check is applicable to this role and if so you will be asked to complete an application for an appropriate level of DBS check. You will be required to submit your DBS Certificate once received, for checking by your Hiring Manager. The role will influence the level of DBS check required. Dependent on the level of check, your certificate might detail both unspent and spent convictions amongst other information. Once viewed, no record of your certificate will be held by the Council other than confirmation that it has been viewed and is acceptable for the role.

## **9. If we make a final offer, we will also ask you for the following:**

- Bank details – to process salary payments
- Emergency contact details – so we know who to contact in case you have an emergency at work

- Membership of a Pension scheme – so we can send you a questionnaire to determine whether you are eligible to re-join your previous scheme

## **10. Post start date**

### **10.1. Conflict of interest**

Our Code of Conduct requires all staff to submit a Declaration of Interests detailing certain financial interests and memberships of organisations. We ask for this information so that we fulfil our obligations to avoid conflicts of interest and to protect the Council's reputation and interests and also to protect the information we hold. The information you provide will be held in a central register and on your Human Resources (HR) file electronically.

## **11. How we make decisions about recruitment?**

Recruitment processes are not based solely on automated decision making. Final recruitment decisions are made by hiring managers and members of our recruitment team. All of the information gathered during the application and interview process is taken into account. All online testing is marked and a result is generated automatically. However, if you wish to challenge the mark you have received, the result can be checked manually. You are able to ask about decisions made about your application by speaking to your contact within our recruitment team or by emailing [recruitment@rbkc.gov.uk](mailto:recruitment@rbkc.gov.uk).

## **12. What if you do not provide personal data?**

You are under no statutory or contractual obligation to provide data to the Council during the recruitment, assessment and onboarding processes. However, if you do not provide the information, the Council may not be able to process your application properly or at all.

## **13. Who has access to data?**

Your information will be shared internally for the purposes of the recruitment, assessment and (if successful) onboarding exercises. This includes members of the HR and Organisational Development teams, interviewers and helpers involved in the recruitment process, managers in the business area with a vacancy, IT and legal

staff, where the data is necessary for the performance of their roles. It will be also be received from and shared with data processors (third-party partners).

There may be circumstances where we can pass on personal data without consent, for example, to prevent and detect crime and for safeguarding purposes. Please refer to the [Council's corporate data protection policy and retention policy](#) for details.

## **14. 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 you or the Council have instructed them to do it. With regard to their contractual obligation to the Council, 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 with regard to any role that you apply for.

### **14.1. Third-party data processors that we use**

#### **14.1.1. E-Recruiter**

If you use our online application system, you will provide the requested information via the E-Recruiter platform who provide this online service for us. Once you click 'apply now' you will be taken to the E-Recruiter platform which will hold the information you submit. However, the Council (Recruiting Manager etc. as detailed above) will have access to it.

#### **14.1.2. BT Service Now**

If you accept a final offer from us, some of your personal information and submissions will be held on the Agresso system. This is an HR records system that is provided by BT. If you are employed by the Council, relevant details about you will be provided to BT Services who provide payroll services to the Council. This will include your name, bank details, address, date of birth, National Insurance number and salary.

#### **14.1.3. Local Government Pension Scheme (LGPS)**

If you accept an offer from us, you will be auto-enrolled into the pension scheme and your details i.e. your name, date of birth, National Insurance number and salary will be provided to LGPS. Your bank details will only be passed to LGPS once you are

employed with the Council to ensure your salary is paid to the correct bank account. The opt-in and opt-out forms for the LGPS are available from the Pensions Team, The Royal Borough of Kensington and Chelsea, Third Floor, Town Hall, London W8 7NX or by emailing [pensions@rbkc.gov.uk](mailto:pensions@rbkc.gov.uk) or from the Council's Intranet, KCnet.

## **15. Westminster City Council Occupational Health Management (WCC OHM)**

If we make you a conditional offer, you will be asked to submit health information on a form to WCC OHM who will help to determine your fitness to carry out the duties of your intended post or if for example, there is any requirements for adjustments to your workplace in accordance with the Equality Act 2010.

The information you provide will be held by WCC OHM and will not be shared with officers in the Royal Borough of Kensington and Chelsea.

## **16. Online assessment**

Where it is decided that we would like to use an online assessment company, we will ensure that you are given the details of that company, including their privacy notice. They will ask you to complete one of these tests. Your answers will be provided to and held by the company. They will share the report with us to use as part of the selection process.

## **17. Executive Search**

For certain vacancies, we sometimes use executive search facilities. In such instances a fresh contract is arranged with the provider agency via a framework agreement and the agency will share certain information with the Council.

## **18. Secondments**

We also offer opportunities for people from other organisations to come and work with us where a secondment opportunity exists. We accept applications from individuals or from organisations who think they could benefit from their staff working with us.

## **19. Recruiting managers**

The recruiting managers will adhere to the normal recruitment checks explained above.

## **20. How long is the information retained for?**

### **20.1. Successful candidates**

If you are successful, the personal information you provide and that the Council obtains during the application, assessment and onboarding process will be transferred to your personnel file and retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment.

### **20.2. Unsuccessful candidates**

If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for 6 months from the closure of the campaign. It is standard industry practice to enable the Council to assist you with any enquiry you may have about the process and also to assist with any complaint that might arise. You are free to withdraw your consent at any time where the Council will consider your request and issue you with a full response. At the end of that period or once you withdraw your consent, your data is deleted or destroyed.

### **20.3. Equal Opportunities information**

Equal opportunities information is retained for 6 months following the closure of the campaign if your application is unsuccessful. If employed, your equalities data will be retained and form part of your HR file for statistical purposes only.

### **20.4. Management information**

E Recruiter, via BT 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 for 6 years from the end of the campaign.

## **21. How does the Council protect data?**



The Council takes the security of your data seriously. The Council has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. For details please refer to [the Council's data protection policy](#).

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

## **22. Your rights**

### **22.1 Access to your personal information**

Under the Data Protection Act 2018, you have rights as an individual which you can exercise in relation to the information we hold about you. Find out more by reading about your [rights under the Data Protection Act 2018](#).

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- request the Council to change incorrect or incomplete data;
- request the Council to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Council is relying on its legitimate interests as the legal ground for processing; and
- ask the Council to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Council's legitimate grounds for processing data.
- make a request to the Council for any personal information we may hold on you during the recruitment process. To do this you need to request for this in writing as a 'HR subject access request' under the Data Protection Act 2018 addressing it to:

*HR Directorate (Recruitment)*

*Royal Borough of Kensington and Chelsea  
Town Hall  
Hornton Street  
London W8 7NX*

## **23. Complaints**

The Council 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 also welcome any suggestions for improving our procedures. If you want to make a complaint about the way we have processed your personal information in relation to the recruitment process, please contact us by emailing [recruitment@rbkc.gov.uk](mailto:recruitment@rbkc.gov.uk).

If you think the HR Recruitment Department have not complied with our obligation for handling your personal information; please visit the '[How do I complain](#)' page.

This privacy notice should not be read in isolation. It is important that you refer to the [Council's data protection policy and retention schedule](#) to access details of all aspects of the Council's collection and use of personal information.

If you believe that the Council has not complied with your data protection rights, you can complain to the Information Commissioner's Office (ICO). You can report a concern by visiting the [ICO website](#).

## **24. Disclosure of personal information**

In many circumstances we will not disclose personal data without consent. However, when we investigate a complaint, for example, or where we are obliged to e.g. in law we will need to share personal information with the organisation concerned and with other relevant bodies. Further information about the factors we shall consider when deciding whether information should be disclosed can be found on the [data protection policy](#).

## **25. Links to other websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

## **26. Changes to this privacy notice**

We keep our privacy notice under regular review. This privacy notice was last updated in April 2018.

**Print page:** [Paper](#) / [PDF](#)