

Recruitment Privacy Notice  
of  
The Scottish Futures Trust Limited

## **1 What is this notice?**

This is the 'Recruitment Privacy Notice' of the Scottish Futures Trust Limited. Our contact details are: 1<sup>st</sup> Floor, 11-15 Thistle Street, Edinburgh, EH2 1DF.

This notice applies to individuals applying to work with us, including prospective employees, workers and contractors.

We are a data 'controller', which means we are responsible for deciding how we hold and use your personal information.

This notice explains how and why we will collect and use your personal information in the context of the recruitment process and your rights in relation to your personal information. We may amend this notice at any time.

## **2 Data protection queries**

We have appointed a Data Protection Officer and their details can be provided upon request. If you have any questions about this privacy notice or how we handle your personal information please contact the HR Team. If you have any questions about this privacy notice or how we handle your personal information please contact the HR Team. They can be contacted via: [hr@scottishfuturestrust.org.uk](mailto:hr@scottishfuturestrust.org.uk) or 0131 5100800.

## **3 Your personal information**

In this privacy notice, 'your personal information' means your personal data i.e. information about you from which you can be identified. The table at section 6 below lists your personal information that we may process.

It is important that your personal information is accurate and up to date. Please inform us if your personal information changes during the recruitment process.

## **4 Special categories of personal information**

'Special categories of personal information' means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purpose of uniquely identifying you.

Data marked \* in the table at section 6 below falls within these 'special categories' or might disclose special categories of personal information. We must have additional legal grounds for processing special categories of personal information, and these grounds are set out in the table at section 6 below.

## **5 Where does your personal information come from?**

Your personal information will come from you or us, and may also come from the following sources:

- Recruitment agencies may provide us with the following personal information: your CV, which includes your work history and your name and address
- Former employers or other referees, whom you have given us permission to contact, may provide us with the following personal information: your name, your previous job title, your dates of employment and reason for leaving
- The professional bodies may provide us with the details of your membership

If you would like more information on the source of your personal information please contact the HR Team.

## 6 Processing your personal information

We may process your personal information during and after the recruitment process. This may include collecting your personal information, recording it, storing it, using it, amending it, destroying it and, in some circumstances, disclosing it.

In general, we process your personal information for the reasons, and on the legal grounds set out in the following table, and also to:

- Retain records relating to the recruitment process;
- Establish, exercise or defend legal claims;
- Comply with the law; and / or
- Protect your vital interests or those of another person (in exceptional circumstances, such as a medical emergency).

Reason for processing your personal information	Legal ground(s) for processing, and legitimate interest (where applicable)	Your personal information
Contact you regarding the recruitment process and any offer of work	To enter a contract	Personal contact details (including name, address, email, telephone number)
Make a decision about your recruitment or appointment, including assessing your skills, qualifications and suitability for the work	To enter a contract To comply with a legal obligation For our legitimate interests: <ul style="list-style-type: none"> <li>• to select suitable employees, workers and contractors</li> </ul>	<ul style="list-style-type: none"> <li>• Your application form, CV, any covering letter or email, and interview notes</li> <li>• Results of the interview, psychometric tests</li> </ul>

		and/or practical; assessment
<p>If you have accepted an offer of work from us that is subject to such checks:</p> <ul style="list-style-type: none"> <li>• Take up references (from referees whom you have given us permission to contact);</li> <li>• Confirm your professional memberships, registrations and / or qualifications.</li> </ul>	<p>To enter a contract</p> <p>To comply with a legal obligation</p> <p>For our legitimate interests:</p> <ul style="list-style-type: none"> <li>• to select suitable employees, workers and contractors</li> </ul>	<ul style="list-style-type: none"> <li>• References and details of previous employers</li> <li>• Professional memberships, registrations and qualifications</li> </ul>
Determine the terms of any potential contract between you and us	<p>To enter a contract</p> <p>To comply with a legal obligation</p>	Offer letter, and proposed contract between you and us
If you have accepted an offer of work, check you are legally entitled to work in the UK	<p>To enter a contract</p> <p>To comply with a legal obligation</p>	Documentation confirming your right to work in the UK
<p>Establish whether you can undergo an assessment which forms part of the application process</p> <p>Consider reasonable adjustments to the recruitment process for</p>	<p>To enter a contract</p> <p>To comply with a legal obligation</p> <p>For our legitimate interests:</p> <ul style="list-style-type: none"> <li>• To select suitable employees, workers and contractors</li> </ul> <p><u>*For special categories of information:</u></p>	Information about a disability, the effects of that disability, and special arrangements that may need to be made to the recruitment process as a result of that disability*

<p>applicants with disabilities</p>	<ul style="list-style-type: none"> <li>To exercise or perform employment law rights or obligations</li> </ul>	
<p>Establish whether you will be able to carry out a function that is intrinsic to the particular work</p> <p>If you have accepted an offer of work from us that is subject to such a check: assess your fitness to work via a health questionnaire or medical report</p>	<p>To enter a contract</p> <p>To comply with a legal obligation</p> <p>For our legitimate interests:</p> <ul style="list-style-type: none"> <li>To select suitable employees, workers and contractors</li> </ul> <p><u>*For special categories of information:</u></p> <ul style="list-style-type: none"> <li>To exercise or perform employment law rights or obligations</li> <li>For the purposes of preventive or occupational medicine, or for the assessment of your working capacity</li> </ul>	<p>Health data and sickness records, including disability information*</p>
<p>Carry out equal opportunities monitoring</p>	<p>For our legitimate interests:</p> <ul style="list-style-type: none"> <li>To review equality of opportunity or treatment</li> </ul> <p><u>*For special categories of information:</u></p> <ul style="list-style-type: none"> <li>To review equality of opportunity or treatment</li> <li>To exercise or perform employment law rights or obligations</li> </ul>	<p>The following information you have provided via our equal opportunities monitoring form:</p> <ul style="list-style-type: none"> <li>Health data, including disability information*</li> <li>Information regarding pregnancy and maternity*</li> <li>Age and date of birth</li> <li>Marriage or civil partnership status*</li> <li>Gender</li> <li>Information on gender reassignment*</li> <li>Data revealing race, religion or belief or sexual orientation*</li> </ul>

Data necessary for the contract. The table at section 6 above identifies personal information that we may need to enter a contract with you. If you don't provide this data, we may not be able to proceed with the recruitment process or enter into the contract.

### **3 Statutory requirement to provide your personal information**

In some circumstances, the provision of your personal information is a statutory requirement. This includes:

- Documentation confirming your right to work in the UK – if you don't provide this, we may not be able to enter into a contract with you.

### **4 Sharing your personal information with third parties**

We may share your personal information with the following third parties if this is required by law; necessary to enter a contract with you; where there is another legitimate interest in doing so; or where it is necessary to protect your vital interests or those of another person:

- Our professional advisors; and
- Other third parties as necessary to comply with the law.

### **5 Automated decision-making**

We do not envisage taking any decisions about you based solely on automated processing (i.e. without human involvement), which have a legal or similarly significant effect on you.

### **6 Transferring your personal information outside the EU**

We do not intend to transfer your personal information to any country outside of the EU, or to any international organisation.

### **7 Data retention**

If you don't start work with us following the recruitment process, we will retain your personal information for twelve months thereafter to allow us to establish, exercise or defend legal claims.

If you ask us to retain your personal information so that we can contact you to discuss future work opportunities, we will write to you separately, to obtain your explicit consent to retain your personal information for a fixed period on that basis.

If you start work with us following the recruitment process, we will give you a copy of our Worker Privacy Notice, and will retain your personal information as detailed in the Worker Privacy Notice.

### **8 Your rights**

You have the following rights:

- **Access:** you can request a copy of your personal information that we hold, and check we are processing it lawfully.

**Correction:** you can ask us to correct your personal information if you don't think it is accurate, complete or up-to-date.

- **Deletion:** you can ask us to delete your personal information, if:
  - it is no longer necessary for the purposes for which we obtained it;
  - you withdraw your consent, and we have no other legal basis for the processing;
  - you validly object to the processing as described below;
  - we have unlawfully processed the data; or
  - we must delete the data to comply with a legal obligation.
  
- **Objection:** if we process your personal information to perform tasks carried out in the public interest or on the basis of legitimate interests, you can object to this processing on the basis of your particular situation. We will only then continue the processing if we have overriding legitimate grounds for this, or the processing is to establish, exercise or defend legal claims. You may also object if we process your personal information for direct marketing purposes.
  
- **Restriction:** you can ask us to restrict our processing of your personal information if:
  - you contest the accuracy of the data (for a period that enables us to check it);
  - our processing is unlawful, but you don't want the data deleted;
  - we no longer need the data, but you require it to establish, exercise or defend legal claims;  
or
  - you have objected (as above) and are awaiting confirmation as to whether we have overriding legitimate grounds for processing.
  
- **Transfer:** if our processing is based on your consent or necessary to carry out our contract with you, and is carried out by automated means, you can request a copy of the personal information you have provided to us and the transfer of this to someone else. Where technically feasible, you can ask us to transfer it directly.
  
- **Complain to the Information Commissioner:** the Information Commissioner is the UK supervisory authority for data protection issues. We aim to resolve all complaints internally via our Data Protection Officer who can be contacted by email: [mailbox@scottishfuturetrust.org.uk](mailto:mailbox@scottishfuturetrust.org.uk) but you do have the right to complain to the Information Commissioner at any time.
  - Online: <https://ico.org.uk/global/contact-us/email/>
  - By phone: 0303 123 1113
  - By post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Please contact our HR Director in the first instance if you require more information on these rights, or wish to exercise any of them.