

# PRIVACY NOTICE FOR APPLICANTS

## Introduction

This privacy notice is for individuals who wish to apply to work at the James Hutton Group which consists of The James Hutton Institute including Biomathematics & Statistics Scotland ("BioSS") ("Hutton") and James Hutton Limited ("JHL"). If you are applying for a position at Hutton, Hutton will be the data controller of your personal data. If you are applying for a position at JHL, JHL will be the data controller of your personal data. However, when we use the term 'we', 'us' or 'our', you should read it as referring to the Hutton Group, unless otherwise specified.

The James Hutton Group is committed to protecting the privacy and security of your personal information. We are required under data protection legislation to notify you of the information contained in this privacy notice. This privacy notice describes how we collect and use personal information about you during the recruitment process, in accordance with the General Data Protection Regulation (GDPR).

### 1. What is the purpose of this document?

Hutton and JHL are "data controllers". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

### 2. Data protection principles

We will comply with data protection law and principles, which means that your data will be:

- a) Used lawfully, fairly and in a transparent way.
- b) Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- c) Relevant to the purposes we have told you about and limited only to those purposes.
- d) Accurate and kept up to date.
- e) Kept only as long as necessary for the purposes we have told you about.
- f) Kept securely.

### **3. The kind of information we hold about you**

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.
- Information you have uploaded onto our recruitment webpage.
- Information you have provided in response to specific vacancy questions.
- Any information you provide to us during an interview.
- Any information provided as part of any psychometric testing, or group or individual presentations, or selection centre process.
- References.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, gender status and political opinions.
- Information about your health, including any medical condition, disability, health and sickness records.
- Information about criminal convictions and offences.

### **4. How is your personal information collected?**

We collect personal information about candidates from the following sources:

- You, the candidate.
- recruitment agencies, from which we collect the following categories of data: name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.
- Disclosure Scotland or the Disclosure and Barring Service in respect of criminal convictions.
- Your named referees, from whom we collect the following categories of data: start and finish dates, job title, and opinion on your suitability for the post. If appropriate we may also request absence and salary information.

- The following data from third parties is from a publicly accessible source - Facebook, LinkedIn and other social media sites, websites of current and previous employers to check publication records and work history.

## **5. How we will use information about you**

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment and selection process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.
- Assess any adjustments to be made to the recruitment process.
- Assess your ability to undertake the role.
- Determine the details of an appropriate offer of employment to be made should you be successful

It is in our legitimate interests to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role.

We also need to process your personal information to decide whether or not to enter into a contract of employment or a contract for the provision of services with you.

Having received your CV and covering letter, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role.

In some recruitment (predominantly for scientific roles) we will ask you to contact referees and arrange for references to be provided in advance of your interview. In other, non-scientific roles, if we decide to offer you the role, we will then take up references. For all vacancies, , if relevant to the role, we will also carry out a criminal record and any other check before confirming your appointment. We may require you to undergo a pre-employment medical as a condition of the offer of employment. We shall also check on your right to work in the UK.

## **6. If you fail to provide personal information**

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

## **7. How we use particularly sensitive personal information**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide reasonable adjustments during the recruitment process, for example whether adjustments need to be made during a test, interview or presentation, .
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, gender status to ensure meaningful equal opportunity monitoring and reporting, and for the purposes of applying for and retaining external accreditations such as Athena Swan, Stonewall.
- We will use information about any medical conditions to determine your ability to carry out the role subject to complying with the requirements of the Equality Act 2010.

## **8. Information about criminal convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy. Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We do not envisage that we will routinely hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process. We will use information about criminal convictions and offences in the following ways during the recruitment process:

- to decide if we can offer you employment.

## **9. Automated decision-making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **10. Data sharing**

We will only share your personal information with the following third parties for the purposes of processing your application: occupational health provider, psychometric testing providers, Disclosure Scotland and the Disclosure & Barring Service, our travel provider, external recruitment panel members, and UKVI. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **11. Data security**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Head of IT.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **12. Data retention**

We will retain your personal information in relation to any recruitment process for a period of 6 months after the recruitment process for the particular vacancy has been concluded. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention guidelines.

If you upload personal data to our recruitment portal it shall be retained on the portal for a period of 12 months from the last time you accessed the portal.

### 13. Rights of access, correction, erasure, and restriction

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the DPO in writing.

### 14. Data protection officer

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.