

## **Westminster City Council**

### **Job Applicant Privacy Notice - GDPR - compliant**

**Data controller:** Westminster City Council  
5 Strand,  
London  
WC2N 5HR

**Data protection officer:** The Data Protection Officer (Information Services)  
5 Strand,  
London  
WC2N 5HR  
[dataprotection@westminster.gov.uk](mailto:dataprotection@westminster.gov.uk)

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

#### **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;
- information about your current level of remuneration, including benefit entitlements;
- 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; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief
- any other additional information provided by you in the context of the recruitment and selection process

The Council 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).

The Council will also collect personal data about you from third parties, such as references supplied by former employer and information from criminal records checks. The Council will seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including on your application record, in HR management systems and on other IT systems (including email).

## **Why does the Council process personal data?**

The Council needs to process data to take steps to enter into a contract with you.

In some cases, the Council 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 starts.

The Council 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 the Council to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. The Council may also need to process data from job applicants to respond to and defend against legal claims.

Where the Council 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.

The Council processes health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where the Council 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.

For some roles, the Council is obliged to seek information about criminal convictions and offences. Where the Council 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.

The Council will not use your data for any purpose other than the recruitment exercise for which you have applied.

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

Your information will be shared internally for the purposes of the recruitment exercise. This may include members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

The Council will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Council will then share your data with former employers to obtain references, and the Disclosure and Barring Service to obtain necessary criminal record checks where relevant.

Your data may be transferred to countries outside the European Economic Area (EEA) for recruitment purposes e.g. request for employment references.

## **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 license, and or birth certificate. We will take copies of these.
- Proof of address – We will request you to bring in a house hold 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 DBS check is applicable to this role and if so you will be asked to complete an application for an appropriate level of Disclosure and Barring (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.

### **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?

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

The Council 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. Further details can be found in the Council's [Data Protection page](#).

## **For how long does the Council keep data?**

If your application for employment is unsuccessful, the Council will hold your data on file for 6 to 12 months after the end of the relevant recruitment process. At the end of that period, your data is either deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

## **Your rights**

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

- access and obtain a copy of your data on request;
- require the Council to change incorrect or incomplete data;
- require 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.

If you would like to exercise any of these rights, please contact

The Data Protection Officer  
(Information Services)  
5 Strand  
London  
WC2N 5HR  
[dataprotection@westminster.gov.uk](mailto:dataprotection@westminster.gov.uk)

You can make a subject access request by completing the [Subject Access Request form](#)

## **Raising a concern or query**

If you wish to raise a concern or query in relation to how your personal data has been handled, please contact the BT Shared Service Centre on 0345 600 3916.

If you believe that that the Council has not complied with data protection rights, you can complain to the Information Commissioner. Contact details of the Information Commissioners Office (ICO) can be found on their website <https://ico.org.uk/>

## **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 process. However, if you do not provide the information, the Council may not be able to process your application properly or at all.

## **Automated decision-making**

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.