

Privacy statement for job applicants

This privacy notice tells you what Children's Hearings Scotland (CHS) does with the personal data that you provide, how long we hold your personal data for, and what you can do if you are unhappy with any of the ways in which your data is used. This notice is for the information of people who are applying for a job at CHS. If you are applying to be a volunteer, please see the privacy statement for volunteers accessible [here](#). If you are applying through an agency, please refer to the agency's privacy notice.

This privacy statement covers the personal data CHS gathers about you during the period from when you fill out an application form, throughout the recruitment process, until someone is appointed to the role. If you are successfully recruited, please then refer to CHS's privacy statement for staff which you will have access to upon the commencement of your employment.

Some Key Phrases

Personal Data: this is any piece of data that either by itself or when taken with another piece of data makes you identifiable. It can be in any format.

Data Controller: this is the organisation or authority that takes ultimate responsibility for the data you provide. They can ask other parties to help process it, but they are responsible for ensuring that it is securely and properly managed.

Data Processor: this is any third party or agency that is brought in to process data on behalf of the Data Controller.

Data Subject: this is you, the person that the data is about.

1. Who is the Data Controller?

Children's Hearings Scotland (CHS) is the Data Controller for the information we hold about you. This means that once you have provided us with the information listed in the next section, CHS is ultimately responsible for ensuring its security, who sees it, where it goes, and when and how it is destroyed. Where you see "we," or "us," it refers to CHS as the Data Controller.

2. What information do we collect from you?

This section outlines the different types of information that we will ask you to provide. We gather this data for a range of purposes, and when you are asked to provide it, it will be made clear whether the request is optional or a requirement. Your personal data can be held in any format, digital or paper, and may be held in an internal system or in unstructured documents.

CHS will ask you to provide the following types of personal data:

- Your full name
- Email address
- Contact information (phone number, postal address, etc.)
- Gender
- Age
- Marital status
- Caring responsibilities
- Lived experience of care
- Eligibility to work
- Details of any criminal convictions
- Occupation
- Education and work history
- Name and contact information for references.

We may also ask you to provide detail of any potential conflicts of interest, which may bring up further personal information.

Special Categories of personal data

CHS sometimes gathers more sensitive data about job applicants. These types of information are called Special Categories of data. The Special Categories outlined by data protection legislation include:

- Race and ethnic origin
- Religious and philosophical beliefs
- Sexual orientation
- Physical health
- Mental health
- Trade Union membership
- Political opinions
- Genetic data
- Biometric data (such as voice authentication or facial scanning)

Some of this information is gathered as part of our equalities monitoring responsibilities, to monitor equality and diversity in the recruitment process. When we are provided with this information we ensure that additional safeguards are put in place to protect your information, and to prevent unlawful discrimination. Under data protection law you have particular rights concerning the processing of your personal data. You can find out more in our *Your Rights* document, available [here](#).

Where information is provided in a digital format, it is stored in a secure area on the Scottish Government network. Information can also be created through use of email and Microsoft Teams,

which is managed by CHS. We do not hold paper documentation for long periods of time and once they have been digitised, they are destroyed in an appropriate manner. Where information is held by anyone other than CHS, such as partners or IT providers, we have contracts in place to ensure that they store all information in a secure manner that meets our very high standards.

3. Why do we collect this data, and what do we do with it?

CHS has to have a legal basis for processing your information, and as a Public Authority, CHS is required by law to maintain certain data and report on other types. Most of your personal data is processed for administrative and management purposes, to meet our obligation to you in processing your job application. Some of your personal data is processed where necessary for compliance with employment law obligations.

Wherever we process special category personal data (see section 2) it will either be with your explicit consent or where necessary for carrying out obligations under employment law. It will always be optional to provide any special category personal data.

4. Who do we share this information with?

In order to meet our obligations to you we will, from time to time, share your information with selected partners. We will only share your data when there is a legal requirement to do so, and all partners and processing agencies are carefully vetted to ensure that they are compliant with the UK General Data Protection Regulation (UK GDPR) as well. Where possible, we sign *Data Processing Contracts* with them that carefully spell out what data will be shared, for what purpose and for how long. These agreements ensure that our partners process your data securely, and only for the purposes that we have requested.

We share your information with IT and Communications service providers. This is so we can make the application form available to you, process your application, and contact you in relation to your application.

CHS uses Microsoft Office 365 for communication, and Microsoft Forms to generate job applications. Access to anonymised applications is given via Microsoft Teams channel, accessible only to those involved in the recruitment process. Microsoft complies with the UK Extension to the EU-U.S. [Data Privacy Framework](#), a certification programme that ensures that participants based in the United States (and all of their subsidiary and partner businesses) are following UK and EU regulations when it comes to the security of personal data.

We share your information with National and Local Government agencies and partners. This is to ensure security measures are in place.

Once the recruitment campaign for the role has concluded, your application form is stored in a restricted access folder on the Scottish Government network. Equalities data is extracted and

retained anonymously and separately from your personal data, in a secure area of the Scottish Government network. The Scottish Government network provides high security standards and the ability to restrict access to records.

5. How long do we keep hold of your information?

We only keep information for as long as it is needed. For the majority of your data, this means that we destroy it after a specific period of time.

CHS operates a *Records Retention Schedule* that shows exactly how long we can keep different types of information. This document also explains how we destroy different types of information, and the reason for processing the information in this way. To read this, please [click here](#).

We hold on to the personal data of unsuccessful applicants for six months after recruitment has been finalised. After that, it is securely destroyed. In exceptional circumstances, we may hold your data for a longer period of time. For example, if you have been involved in a complaint, we may need to keep some of your information for a longer period of time.

If your application is successful, most of your data will be retained for six years after you have left CHS. There are some pieces of information that we must keep permanently, for either business continuity or historical value. Where we do keep personal data longer than six years, we will always make sure that your rights as the Data Subject are maintained.

6. Further Information and Complaints

Data Protection Officer

If you would like further information on how we handle personal data, to ask a question, share a concern about how your data is handled, or make a data protection complaint, you can contact our Data Protection Officer.

Danielle Metcalfe
information@chs.gov.scot
T: 0131 460 9569
3rd Floor
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE

Information Commissioner's Office (ICO)

If you feel that CHS has mishandled your information to an extent that cannot be adequately investigated or resolved 'in house' you can always contact the Information Commissioner directly.

To report the organisation, or register a concern about how your data has been managed, you can use the ICO's web forms: <https://ico.org.uk/make-a-complaint/>

For advice on data protection and your rights, you can send all queries to:

Information Access Team

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Or call them on: 0303 123 1113