Privacy Notice for Job and Volunteer Applicants

Legislation References	
General Data Protection Regulation (UK GDPR) 2016/679	Data Protection Act 2018
The Data (Use and Access) Act 2025	

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Why have we issued this privacy notice to all job and volunteer applicants

As part of any recruitment process, Birtenshaw collects and processes personal data relating to applicants. By issuing this privacy notice, we demonstrate our commitment to openness and accountability. We recognise the importance of protecting personal and confidential information in all that we do and take care to meet our legal and other duties.

The purpose of this privacy notice is to make all applicants aware of how and why we collect and use your personal information, both during and after an application process.

How do we collect your information

Your information could be collected in a number of different ways. The majority of data collected will come from you directly. For example, information might be contained in application forms, CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

Personal information 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).

What information do we collect?

We collect and process personal data from you when you apply to join the organisation. This includes:

- Name, address, telephone number and email address.
- Recruitment and suitability checks (i.e. professional membership, references, proof of identification and right to work in the UK, etc.).
- Information about your current remuneration, including benefit entitlements (where applicable).
- Personal demographics, including gender, race, ethnic origin, sexual orientation, religious or other beliefs, caring responsibilities and whether you are disabled or require any additional support or reasonable adjustments during the recruitment process.
- Medical information relevant to your application, including physical health, mental health and absence history where appropriate.
- Professional registration and qualifications, education and training history.
- Safeguarding information relevant to the role, including safeguarding training, qualifications and suitability for working with children, young people and adults at risk.
- Information relating to Disclosure and Barring Service (DBS) checks and other safeguarding checks where required for the role and permitted by law.
- Information in relation to any current or previous criminal offences, convictions or cautions where this is relevant and lawful for the role.

What information do we receive from third parties?

Sometimes, we receive information about you from third parties.

Details might come from an external source such as your professional body, current or previous employers, references, the Disclosure and Barring Service, recruitment agencies, local authorities, safeguarding partners, occupational health providers, or government bodies such as HM Revenue and Customs or UK Visas and Immigration.

The organisation will seek information from third parties only when a conditional job or volunteer offer has been made to you and will inform you that it is doing so.

How do we use this information, and what is the legal basis for this use?

We will only process your personal data where we have your consent or where the processing can be legally justified under UK law. The organisation has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process.

Processing data from applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment or volunteering, and decide to whom to offer a job or volunteer role.

In some cases, the organisation 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 organisation may also need to process data from applicants to respond to and defend against legal claims. Birtenshaw relies on legitimate interests as a reason for processing data and has considered whether those interests are overridden by the rights and freedoms of applicants and has concluded that they are not.

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

Where the organisation 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 organisation is obliged to seek information about criminal convictions and offences. Where the organisation 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 and volunteering.

The organisation may process personal information for safeguarding purposes, including assessing suitability to work or volunteer with children, young people and adults at risk, carrying out safeguarding checks, investigating safeguarding concerns and complying with its statutory safeguarding responsibilities.

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

Who will I share this data with, where and when?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the Trustee Board, the HR Department, interviewers involved in the recruitment process, managers in the department with a vacancy and IT contractors if access to the data is necessary for the performance of their roles.

The organisation will not share your data with third parties unless this is necessary as part of the recruitment process, required by law, required for safeguarding purposes, or your application is successful and it makes you an offer of employment or a volunteer role.

In order to fulfil our safeguarding responsibilities, information may be shared where there is a lawful basis to do so with organisations such as the Disclosure and Barring Service, local authorities, the police, safeguarding partners, regulatory bodies and other agencies involved in protecting children, young people or adults at risk. Where such sharing is necessary, only relevant information will be shared.

We outsource a limited number of IT and support services to external organisations, including occupational health services. These companies are based within the United Kingdom or European Economic Area, and all services are provided under specific contractual terms which are compliant with UK data protection legislation.

The organisation will not transfer your data outside the United Kingdom or European Economic Area unless appropriate safeguards are in place.

What rights do I have?

Under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018), you have a number of rights with regard to your personal data.

You have the right to ask us for a copy of your personal data, to correct, delete or restrict (stop any active) processing of your personal data and, where applicable, to obtain the personal data you provide to us.

You have the right to object to the processing of your personal data and, in some circumstances, the right to data portability.

These rights may be limited, for example if fulfilling your request would reveal personal data about another person, or if you ask us to delete information which we are required by law to keep or have compelling legitimate reasons for keeping.

If you have provided consent for the processing of your data, you have the right (in certain circumstances) to withdraw consent at any time. This will not affect the lawfulness of the processing before your consent was withdrawn.

If you would like to exercise any of these rights, please contact **HR@birtenshaw.org.uk**.

How long will you retain my data?

If your application is unsuccessful, the organisation will hold your data on file for six months after the end of the relevant recruitment process, unless a longer retention period is required for safeguarding, legal or regulatory purposes.

If your application is successful, personal data gathered during the recruitment process will be transferred to your personnel or volunteer file and retained during your employment, volunteering arrangement or term of office in accordance with the Staff and Volunteer Privacy Notice.

Where information relates to safeguarding concerns, investigations or disclosures, retention periods may differ from standard recruitment records and will be determined in accordance with safeguarding legislation, statutory guidance and organisational retention schedules.

All records are appropriately reviewed once their retention period has been met and confidentially destroyed.

If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner's Office.

What if you do not provide personal data?

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

For roles requiring safeguarding or statutory checks, failure to provide the necessary information may prevent the organisation from assessing your suitability for the role.

How can you make a complaint?

You have the right to make a complaint if you feel unhappy about how we hold, use or share your information. Depending on the nature of your complaint, contact the HR Department in the first instance.

If you remain dissatisfied following the outcome of your complaint, you may then wish to contact the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Web: https://ico.org.uk/make-a-complaint/

Please note that the Information Commissioner will not normally consider an appeal until you have exhausted your rights of complaint to us directly. Please see the website above for further advice.