

## **Scottish Human Rights Commission Privacy Notice**

This privacy statement explains how we collect and use personal information about you for the following process:

### **Recruitment of Scottish Human Rights Commission Staff**

This is the 'Recruitment of Scottish Human Rights Commission staff Privacy Notice'. Our contact details are: Bridgeside House, McDonald Road, Edinburgh. The Scottish Human Rights Commission (the Commission) processes any personal data it obtains in accordance with the requirements of the General Data Protection Regulation (EU) 2016/679 (the GDPR) and the Data Protection Act 2018 (the DPA).

The Commission is a data 'controller', which means we are responsible for deciding how we hold and use your personal information. This notice explains how we will collect and use your personal information in the context of your recruitment and your rights in relation to your personal information.

### **The categories of information processed**

For assessing your application, we process normal category data which includes; title, name, home address, email address, telephone number, qualifications, previous employment history, employment reference addresses, skills and experiences.

Special categories of data are also requested for monitoring of equal opportunity and treatment which may include; gender, ethnicity, nationality, sexual orientation, disability, religion/belief. The completion of the equality form is voluntary.

### **Source of the information**

At this stage in the recruitment process all personal data will be provided by the applicant only.

### **The purpose(s) of the processing**

We will process your personal information to enable us to consider your suitability for an advertised job vacancy. This may include collecting your personal information, recording it, storing it, using it, amending it and destroying it.

In general, we process your personal information to:

- Assess your suitability for an advertised job vacancy;
- Make a decision about your recruitment or appointment; and
- Contact you in relation to your application.

Personal data will be reviewed in order to assess suitability for an advertised job vacancy and will be stored securely. Your application will only be shared with the interview panel members and staff providing administrative services to support the recruitment process.

### **The legal basis of processing**

- The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (Art 6(1)(b) GDPR).
- The processing is necessary for legitimate interests (Art 6(1)(f) GDPR) in order to select a suitable employee.
- The processing of special categories of data is necessary to exercise or perform employment law rights and obligations and to review equality of opportunity or treatment. The legal basis for processing is that it is necessary for reasons of substantial public interest in accordance with Art 9(2)(g) GDPR, s10(3) of and para 8 of Schedule 2 to the DPB because the processing is necessary for the purpose of identifying or keeping under review the existence or absence of equality of opportunity or treatments between groups of people with a view to enabling such equality to be promoted and

maintained. Applicants are not under an obligation to provide the data to us.

### **Consequences of not providing personal data**

Where personal data is not provided this may affect our ability to consider your suitability for an advertised post or contact you in relation to the outcome of your application. There are no consequence to you however of not completing the equality monitoring form, it is voluntary to do so.

### **Data sharing**

Your application will be shared with staff providing administrative services to the recruitment process and staff participating in selection and all members of the interview panel.

### **Retention of data**

Personal details for unsuccessful applications are retained for six months then deleted from our system in line with the Commission's document retention schedule.

## **Your rights**

The GDPR sets out the rights which individuals have in relation to personal information held about them by data controllers. These rights are listed below, although whether you will be able to exercise each of these rights in a particular case may depend on the purpose for which the data controller is processing the data and the legal basis upon which the processing takes place.

***Access to your information*** – You have the right to request a copy of the personal information about you that we hold.

***Correcting your information*** – We want to make sure that your personal information is accurate, complete and up to date and you may ask us to correct any personal information about you that you believe does not meet these standards.

***Deletion of your information*** – You have the right to ask us to delete personal information about you where:

- You consider that we no longer require the information for the purposes for which it was obtained.

- We are using that information with your consent and you have withdrawn your consent – see [Withdrawing consent to using your information](#) below.
- You have validly objected to our use of your personal information – see [Objecting to how we may use your information](#) below.

***Objecting to how we may use your information*** – Where we use your personal information to perform tasks carried out in the public interest or for a legitimate interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue. Our use of your personal information is contrary to law or our other legal obligations.

***Restricting how we may use your information*** – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information about you that we hold or assessing the validity of any objection you have made to our use of your information. The right might also apply where this is no longer a basis for using your personal information but you don't want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

***Withdrawing consent using your information*** – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

Please contact us in any of the ways set out in the *Contact information and further advice* section if you wish to exercise any of these rights.

### **Changes to our privacy statement**

We keep this privacy statement under regular review and will place any updates on our website. Paper copies of the privacy statement may also be obtained using the contact information below.

This privacy statement was last updated in January 2019.

### **Contact information and further advice**

If you have any further questions about the way in which we process personal data, or about how to exercise your rights, please contact the Head of Corporate Services:

Scottish Human Rights Commission

Bridgeside House

McDonald Road

Edinburgh

EH7 4NS

Telephone: 0131 297 5750

Email: [hello@scottishhumanrights.com](mailto:hello@scottishhumanrights.com)

Please contact us if you require information in another language or format.