

# **Malvern Theatres Trust Limited**

## **Job Applicant Privacy Notice**

### **Introduction**

During the recruitment process, Malvern Theatres collects and processes personal data relating to job applicants.

The Trust is committed to being clear and transparent about how it collects and uses that data and to meeting its data protection obligations.

### **What information does the Trust collect and process?**

The Trust collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- Personal contact details, such as your name, title, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers;
- information about your remuneration, including entitlement to benefits such as pensions;
- 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.

The Trust collects this information in a variety of ways during the application and recruitment process. For example, data may be contained in application forms and CVs, obtained from identity documents, such as your passport and collected through interviews and assessment tests.

In some cases, the Trust collects personal data about you from third parties, such as references supplied by former employers and information from criminal records checks permitted by law.

Data is stored in a range of different places, including on your application record, in the Trust's HR management system and in other IT systems (including the Trust's email system).

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

The Trust needs to process data prior to entering into a contract with you. We also need to process data to enter into an employment contract with you and to meet our obligations under that employment contract.

In addition, the Trust needs to process data to ensure that we are complying with our legal obligations. For example, we are required to check an employee's entitlement to work in the UK before employment begins.

The Trust has a legitimate interest in processing personal data during the recruitment process and in keeping records of that process. Processing such data from job applicants enables the Trust to manage the recruitment process, assess the suitability of candidates and make informed decision as to whom we wish to recruit. The Trust may also have to process data from job applicants in order to defend legal claims.

The Trust processes health information if we need to make reasonable adjustments to the recruitment process for candidates with a disability.

For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake a particular role.

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

You are under no obligation to provide the Trust with data during the recruitment process. However, if you do not provide certain information when requested, the Trust may not be able to process your application for employment properly or at all.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for you if this information is not provided.

### **For how long do you keep data?**

The Trust will only hold your personal data for as long as is necessary to fulfil the purposes for which we collected it. If your application for employment is unsuccessful, the Trust will hold your data on file for 6 months after the end of the recruitment process. At the end of that period, your data is 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 we shall issue a new privacy notice which sets down the periods for which your data will be held.

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

Your information will be shared internally for the purposes of the recruitment process, including with members of the HR team and interviewers.

The Trust will not share your data with third parties unless we make you an offer of employment. In those circumstances, the Trust shall share your data with third parties where required by law and where it is necessary in order to administer the working relationship with you or where we have another legitimate interest in doing so. The Trust will then share your data with former employers to obtain references about you.

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

The Trust takes the security of your data seriously. The Trust has internal policies and controls in place to prevent your data being lost, accidentally destroyed,

misused or disclosed, and is not accessed except by its employees in the performance of their duties.

## **Your rights**

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

- access and obtain a copy of your data on request (known as a “data subject access request”);
- require the Trust to change incorrect or incomplete data;
- request erasure of your personal information. This enables you to ask the Trust 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 Trust is relying on its legitimate interests as the legal ground for processing; and
- ask the Trust to suspend the processing of your personal data for a period of time if data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

If you would like to exercise any of these rights, or you have any questions about the privacy notice, please contact Lucy Fern, HR.

If you believe that the Trust has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner’s Office.