



JOIC

JERSEY OFFICE OF THE
INFORMATION COMMISSIONER

DATA PROTECTION **STATEMENT**

(Recruitment)



DATA PROTECTION STATEMENT (RECRUITMENT)

This statement explains what personal data (information) we will hold about you, how we collect it, and how we will use and may share information about you during the application and recruitment process. We are required to notify you of this information, under data protection legislation. Please ensure that you read this statement (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

For information on how your personal data may be used by us outside of the recruitment process, please see our [**Data Protection Statement**](#).

Who collects the information?

The Jersey Data Protection Authority (**Authority**), having delegated its day-to-day responsibilities regarding recruitment to the Jersey Office of the Information Commissioner (**JOIC**) is a 'data controller' and gathers and uses certain information about you. References to the Authority include the JOIC.

Data protection principles

We will comply with the [**data protection principles**](#) when gathering and using personal information for the purposes of the recruitment process.

We seek to ensure that our information collection and processing is always proportionate. We will update this policy with any changes to the information we collect and the purposes for which we collect and process it.

Purpose and lawful basis for processing

Our purpose for processing this information is to assess your suitability for a role you have applied for. The lawful basis we rely on for processing your personal data is Schedule 2 Part 1 paragraph 2(b) of the Data Protection (Jersey) Law 2018 (DPJL 2018). This relates to processing necessary to perform a contract or to take steps at your request, before entering a contract (i.e. we've advertised a job and you have applied for that role because you want to work with us).

If you provide us with any information about reasonable adjustments you require under the Discrimination (Jersey) Law 2013 (the **Discrimination Law**) the lawful basis we rely on for processing this information is Schedule 2 Part 2 paragraph 18 of the DPJL 2018 and so we can comply with our legal obligations.

The lawful basis we rely on to process any information you provide as part of your application which is special category data (such as health, religious, ethnicity or criminal records information) is Schedule 2 Part 2 paragraph 8 of the DPJL 2018, which relates to our obligations in employment and the safeguarding of your fundamental rights.



What information do we ask for, why and what will we do with it?

At each stage of the recruitment process, we will only ask you for the information we need at that stage. E.g., we will not ask you for details of your health or your referees until we have offered you a role.

We will ask you for personal information about your skills, work experience and interest in the role for which you have applied. We do this to assess your suitability for employment with us. We will use the information to progress your application and/or to fulfil our legal or regulatory requirements.

The table set out in Part A of the schedule below summarises the information we collect and hold up to and including the shortlisting stage of the recruitment process, how and why we do so and how we use it.

The table in Part B of the schedule below summarises the additional information we collect before making a final decision to recruit, i.e. before making an offer of employment unconditional, how and why we do so and how we use it.

We do not use any of your information for marketing purposes or anything unconnected with the recruitment process.

We will use any feedback you provide about our recruitment process to develop and improve our future recruitment campaigns.

Where information may be held.

Information may be held at our offices in hard copy or in electronic format on secure systems provided by our third-party service provider within the EEA.

How long we keep your information

We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information for will depend on whether your application is successful, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination, after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first either ask your permission (for example to be considered for future roles) or consider whether the records can be pseudonymised.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment.

Further details on our approach to information retention and destruction in this context are set out in the Schedule.



Your rights

As an individual, you have **certain rights** regarding your own personal data.

Please contact our Data Protection Officer (DPO) if you would like further information on these or to exercise any of these rights.

Our DPO's contact details are dpo@jerseyoic.org / +44 (1534) 716530.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, mis-used or accessed without authorisation. We limit access to your personal information to those who have a genuine business need to know it during the recruitment process. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach in line with our legal requirements.

How we make decisions about recruitment?

Final recruitment decisions are made by the hiring manager and the Human Resources team. We take into account all of the information gathered during the recruitment process. We do not make any decisions using artificial intelligence or similar.

How to complain

We hope that our DPO can resolve any query or concern you raise about our use of your information during the recruitment process. If not, please ask us for further information about your rights and how to make a formal complaint.

Our DPO's contact details are dpo@jerseyoic.org / +44 (1534) 716530.



THE SCHEDULE

ABOUT THE INFORMATION WE COLLECT AND HOLD

Part A

Up to and including the shortlisting stage.

THE INFORMATION WE COLLECT	HOW WE COLLECT THE INFORMATION	WHY WE COLLECT THE INFORMATION	HOW WE USE THE INFORMATION
<p>Your name and contact details (i.e., address, home and mobile phone numbers, email address)</p>	<p>From you</p>	<p>To carry out steps at the request of a data subject with a view to entering into a contract.</p> <p>So, we can progress your application, arrange interviews and inform you of the outcome at all stages</p>	<p>To enable HR and/or the hiring manager to contact you to progress your application, arrange interviews and inform you of the outcome.</p> <p>To inform the relevant manager(s) or department of your application.</p>
<p>Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests</p>	<p>From you, in the completed application form and interview notes (if relevant)</p>	<p>To carry out a fair recruitment process and to make an informed decision to shortlist for interview and (if relevant) to recruit</p>	<p>To make an informed recruitment decision.</p>

If your application is unsuccessful at this stage, we will keep your information for six months for the purpose of establishing, exercising and/or defending any legal claims, in accordance with our legitimate interests. Any data retained beyond this time will be anonymised.



Part B

For successful candidates, after job offer.

THE INFORMATION WE COLLECT	HOW WE COLLECT THE INFORMATION	WHY WE COLLECT THE INFORMATION	HOW WE USE AND MAY SHARE THE INFORMATION
Details of your referees	From you, on request (after job offer stage)	To carry out a fair recruitment process.	To carry out a fair recruitment process Information shared with relevant managers, HR and the referee.
Information regarding your criminal record	From you and from the Disclosure and Barring Service (DBS). This process is managed on our behalf by the Customer and Local Services department.	To verify the criminal records information provided by you	To make an informed recruitment decision Information shared with the Customer and Local Services department. Declared, unspent convictions may be shared with HR, the hiring manager and the Information Commissioner. This is to make an informed recruitment decision and assess a candidate's suitability for the role
Your nationality and immigration status and information from related documents, such as your passport, driving licence, registration card or other identification and immigration information	From you and, where necessary, the Population Office and/or Customer and Local Services	We must confirm the identity of our staff and their right to work in Jersey To enter into/perform the employment contract To comply with our legal obligations To maintain employment records	To carry out right to work checks. To comply with legal/regulatory obligations Information may be shared with HR, the hiring manager the Population Office and/or Customer and Local Services.



THE INFORMATION WE COLLECT	HOW WE COLLECT THE INFORMATION	WHY WE COLLECT THE INFORMATION	HOW WE USE AND MAY SHARE THE INFORMATION
A copy of your photo ID	From you	To enter into/perform the employment contract	To carry out a fair recruitment process Information shared with relevant managers, HR and the referee.
Your Tax reference and rate	From you	To comply with legal obligations.	For payroll purposes, we will make tax (IT IS) deductions from your salary.
Information regarding your health including any reasonable adjustments you require under the Discrimination (Jersey) Law	From you and/or your medical practitioner and/or from our Occupational Therapist, as may be required.	To ensure that we can take steps to make sure any reasonable adjustments required are provided	To comply with our legal obligations. To comply with our legal obligations Information shared with relevant managers, HR and our Occupational Health service provider.

If your application is unsuccessful at this stage, we will keep your information, in pseudonymised form, for the purpose of establishing, exercising and/or defending any legal claims, in accordance with our legitimate interests.

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