



Job Applicant Privacy Notice

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Introduction

At Jersey Overseas Aid we are committed to transparency and professionalism in all we do. This extends to employee recruitment and data protection; in addition to making the best appointments to our team, we have undertaken to manage our recruitment process in an open and proper manner.

As part of our recruitment process, we collect and process personal information, or personal data, relating to job applicants. We may hold this personal information on paper or in an electronic format. We have made several specific commitments with regard to your personal data, undertaking to:

- being transparent about how we handle your personal information;
- protecting the privacy and security of your personal information; and
- meeting our data protection obligations under the Data Protection (Jersey) Law 2018 as applicable.

We have provided you with this privacy notice in order to give you information on how and why we will collect and use your personal information during the recruitment process.

This privacy notice applies to all applicants for jobs with us, whether they apply for a role directly, or do so indirectly through an employment agency. It is a non-contractual document.

We have appointed a Data Protection Officer to oversee our compliance with data privacy. If you have any questions about this privacy notice or about how we intend to handle your personal information, please contact:

Rachel Carlotti
R.Carlotti@joa.je
01534 446906
Jersey Overseas Aid, Town Hall St Helier
Top Floor Office Suite, Jersey J24 8PA

What types of personal information do we collect about you?

We collect, use and process a range of personal information about all our job applicants during the recruitment process. This may include (as applicable):

- your contact details, including your name, address, telephone number and personal email address;
- your personal information included in a CV, any application form or cover letter or our interview notes;
- your information in references provided to us; information about your right to work and live in Jersey and copies of proof of your right-to-work documentation;
- copies of your qualification certificates;
- a copy of your driving licence;
- other background check documentation; details of your skills, qualifications, experience and work history with previous employers;
- information about your current salary level, including benefits and pension entitlements; and/or
- your professional memberships.

Please note that we may also collect, use and process the following special categories of your personal information during the recruitment process (as applicable):

- whether or not you have a disability for which we need to make reasonable adjustments during the recruitment process; and/or
- information about your past criminal convictions and offences.

How do we collect your personal information?

As outlined above, we will collect personal information about you during the recruitment process, either directly from you or sometimes from a third party such as an employment agency. Please note that we may also collect personal information from other external third parties, such as references from current and former employers, information from background check providers, information from credit reference agencies and criminal record checks from the Disclosure and Barring Service (DBS). Other than when employment agencies are involved, under normal circumstances we will only seek personal information from third parties during the recruitment process once we have made you an offer of employment, and we will inform you that we are doing so.

Your personal information may be stored in different places, including on your application record, in our HR management system and in other IT systems, such as our e-mail system.

Why and how do we use your personal information?

We will only use your personal information in specific conditions covered by data protection legislation. That means that we will only use your personal information in one or more of the following circumstances:

- where we need to do so to take steps at your request prior to, or upon, entering into an employment contract with you;
- where we need to comply with a legal obligation;
- where it is necessary so that we can serve our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interest. Our legitimate interests include the professional and structured development of our organisation by employing new staff members, managing the recruitment process, conducting due diligence on prospective employees and performing effective internal administration.

The purposes for which we are processing, or will process, your personal information are so that we can:

- manage the recruitment process and assess your suitability for employment with us;
- decide to whom we should offer a job; comply with statutory and/or regulatory requirements and obligations, such as checking your right to work and live in Jersey;
- comply with our duty to make reasonable adjustments for disabled job applicants and fulfil our other disability discrimination obligations;
- ensure our compliance with your statutory rights; ensure we achieve effective HR, personnel management and organisational administration; and/or
- establish, exercise or defend possible legal claims.

Please note that we may process your personal information without your consent, in compliance with this privacy notice, where this is required or permitted by law.

What happens if you fail to provide personal information?

If you fail to provide certain personal information when we ask you for it, we may not be able to process your job application properly or at all, we may not be able to enter into an employment contract with you, or we may be prevented from complying with our legal obligations.

What is and how do we use your special category personal information?

We may process information about your health and/or information about any criminal convictions and offences, but only if we have your explicit written consent. In this case, we will first provide you with full details of the personal information we would like to obtain as well as the reason we need it. This means that you can properly consider whether you wish to consent or not. It is entirely your choice whether to do so or not, and you can withdraw your consent at any time.

The purposes for which we may process health information and information about any criminal convictions and offences, are so that we can:

- assess your suitability for employment with us; comply with statutory and/or regulatory requirements and obligations, such as carrying out criminal record checks;
- comply with our duty to make reasonable adjustments for disabled job applicants and fulfil our other disability discrimination obligations;
- ensure our compliance with your statutory rights;
- ascertain your fitness to work; and/or ensure that we achieve effective HR, personnel management and organisational administration.

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

Change of purpose

We commit to only using your personal information for the purposes for which we collected it, i.e. for the recruitment process for the post for which you have applied. However, if your job application is unsuccessful, we may wish to keep your personal information on file in case there are future employment opportunities with us which may be suitable for you. We will ask for your consent before we keep your personal information on file for this purpose, and again you can withdraw your consent at any time.

Who has access to your personal information?

Your personal information may be shared internally within the small professional team at Jersey Overseas Aid and the organisation's Commissioners for the purposes of the recruitment exercise, including those members of the team who have responsibility for HR, recruitment and IT if access to your personal information is necessary for the performance of their roles.

As outlined above, we will not share your personal information with third parties during the recruitment process unless your job application is successful, and we make you an offer of employment. At that stage, we may also share your personal information with third parties (and their designated agents), which are located outside of Jersey, including:

- the DBS, to obtain a criminal record check;
- your former employers, to obtain references; and/or
- professional advisors, such as HR consultants or lawyers.

We may also need to share your personal information with a regulatory authority or to otherwise comply with the law. We may share your personal information with third parties if this is necessary in order to take steps at your request prior to or upon entering into a contract with you, if we need to comply with a legal obligation, or if it is necessary for our legitimate interests (or those of a third party).

Transferring personal information to international organisations

If your application is for a position which involves a placement with another agency, we will share the necessary details of your application with the relevant decision-makers in whichever jurisdiction they may be. This may include third countries or international organisations (for example UNHCR). We will ascertain that there are adequate privacy regulations in place in respect of those organisations. Please note that transfers of personal data from Jersey to European Economic Area (EEA) countries are permitted without additional safeguards. This means that the international organisations to which we may transfer your personal information are deemed to provide an adequate level of protection for your personal information. You are invited to request further information about these measures from our Data Protection Officer.

How do we protect your personal information?

We have put in place measures to protect the security of your personal information. Firstly, we have adopted internal policies, procedures and controls to try to prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in any unauthorised way. In addition, we make sure we limit access to your personal information to those employees, agents, contractors and other third parties who have a genuine need to know it in order to perform their job duties and responsibilities. You are invited to ask for further information about these measures from our Data Protection Officer.

In the rare circumstances where your personal information is shared with third parties, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to only treat it with due regard to their duty of confidentiality and in accordance with data protection legislation. We only allow third parties to process your personal information for precisely-specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

We have also put in place procedures to deal with any suspected data security breach, and we will notify the Jersey Office of the Information Commissioner (or any other applicable supervisory authority or regulator) as well as you of a suspected breach where we are legally required to do so.

For how long do we keep your personal information?

We will only retain your personal information for as long as is necessary for us to fulfil the purposes for which it was collected and processed.

If your application for employment with us is unsuccessful, we will generally hold your personal information for six months after the end of the relevant recruitment exercise, but this is subject to any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records. If you have consented to our keeping your personal information on file in case there are future suitable employment opportunities for you with us, we will hold your personal information for a further six months after the end of the relevant recruitment exercise, or until you withdraw your consent if earlier.

If your application for employment is successful, we will retain personal information gathered during the recruitment process for the duration of your employment and in accordance with our separate privacy notice for employees.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

Your rights in connection with your personal information

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information;
- request rectification of your personal information;
- request the erasure of your personal information;
- restrict the processing of your personal information;
- object to the processing of your personal information;
- request the transfer of your personal information to another party; and
- object to automated decision-making.

If you wish to exercise any of these rights, please contact our Data Protection Officer. We may need to request specific information from you in order to verify your identity and to check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who does not have the right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of our processing the information based on your consent before its withdrawal. If you do wish to withdraw your consent, please contact our Data Protection Officer.

If you believe that we have not complied with your data protection rights, you have the right to make a complaint to the Jersey Office of the Information Commissioner (JOIC) at any time.

Automated decision making

Automated decision-making occurs when an electronic system uses your personal information to make a decision without human intervention. We do not envisage that any recruitment decisions will be taken about you based solely on automated decision-making, including profiling.

Changes to this privacy notice

We reserve the right to update or amend this privacy notice at any time.

Contact

If you have any questions about this privacy notice or how we handle your personal information, please contact our Data Protection Officer as follows:

Rachel Carlotti
R.Carlotti@joa.je
01534 446906
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Top Floor Office Suite, Jersey J24 8PA