



ALBA | CHRUTHACHAIL

## Creative Scotland Recruitment Privacy Notice

### Introduction

When you apply for a role with Creative Scotland (CS), you will be required to supply CS with personal information about yourself. This Privacy Notice contains details of how CS will handle and use the personal information that you provide.

To help clarify some of the wording, a 'Definitions' Section is located at the bottom of this Privacy Notice.

For the purposes of Data Protection Laws, CS will be the Controller of your personal information and will comply with the Data Protection Laws when handling and using your personal information.

CS has appointed a Data Protection Officer (DPO), who ensures that CS complies with data protection laws. If you have any questions about this Privacy Notice or how CS holds or uses your personal information, please contact:

[dataprotection@creativescotland.com](mailto:dataprotection@creativescotland.com)

### What personal information does CS collect about you?

- your name, address and contact details, including email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- whether or not you have a disability for which CS needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equalities monitoring information, including information about your ethnic origin, sexual orientation, and religious or philosophical beliefs, however the provision of this information is optional.

If an offer of employment is made, CS will collect personal information about you from third parties, such as references supplied by your former employers.

Your personal information will be stored by CS in different places, including on your application record, in the HR management system and on other IT systems.

## What does CS use your personal information for?

CS will use your personal information, and any supporting information that you provide, as part of the recruitment process to fully assess your application. CS will use this to make decisions on whether to invite you to an interview and make you an offer of employment to you.

## Who will have access to your personal information?

Your personal information will be shared internally within CS for the purposes of the recruitment process. This will include sharing your personal information with members of the HR department and the IT department for the performance of their roles.

Managers in the respective CS business area for which the recruitment process is being undertaken and other members of CS staff involved in the recruitment process will also have access to a redacted version of your application (i.e. a version from which your personal information has been removed so far as possible) to ensure that applications are assessed impartially.

CS will not share your personal information with third parties, unless your application for employment is successful and CS makes an offer of employment to you. As part of this, CS will then share your personal information with your former employers to obtain references about you.

## What is CS's legal basis for handling and using your personal information?

Data Protection Laws require CS to have a legal reason for handling and using your personal information. CS may handle and use your personal information for the following legal reasons:

- To comply with its **legal obligations** e.g. to comply with health and safety laws and equalities laws when making interview arrangements for applicants and to check a successful applicant's eligibility to work in the UK before employment starts.
- To protect the **legitimate interests** of CS e.g. to keep records of the recruitment process, manage the recruitment process, assess and confirm suitability for the job, decide who to make an offer of employment to, and respond to and defend against legal claims.

Some of the personal information you provide to CS may be special category personal information, such as information about ethnic origin, sexual orientation and religious or philosophical beliefs. CS handles and uses this personal information for the purposes of equal opportunities monitoring with your explicit **consent**, and such consent can be withdrawn at any time.

## How long will CS keep your personal information?

If your application is successful and you accept an offer of employment made to you by CS, then CS will retain your application (including any supporting information) for the length of time of your employment with CS plus a further period of 6 years. Following the expiry of this timescale, the said information will be disposed of securely.

CS will retain an unsuccessful, withdrawn or ineligible application (including any supporting information) for a period of 6 months after the end of the recruitment process. Following the expiry of this timescale, the said information will be disposed of securely.

### **Does CS send your personal information outside the European Economic Area?**

CS will comply with Data Protection Laws if handling and using your personal information in accordance with this Privacy Notice requires CS to transfer your personal information to organisations in countries outside the European Economic Area.

### **How will CS keep your personal information secure?**

CS will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information and will store your personal information on secure servers.

Please be aware that sending information via the internet is inherently insecure, and CS cannot guarantee the security of your personal information if you send it to CS over the internet.

### **What if your application contains personal information about other individuals?**

If your application and/or supporting information contains personal information about other individuals, you must comply with Data Protection Laws when providing their personal information to CS.

### **What will happen if you do not provide CS with the information it requires?**

CS will be unable to progress your application and/or invite you to attend an interview.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information to CS.

### **What rights do you have in relation to the personal information that CS handles and uses about you?**

You have the right to:

- Receive transparent information e.g. this Privacy Notice
- Access personal information – you have the right to request access to personal information held about you and can do this by contacting the CS Data Protection Officer
- Erase personal information – you can request that your personal information be removed
- Rectify inaccurate or incomplete personal information – you can request your information to be updated
- Restrict personal information while, for example, a request for rectification of inaccurate or incomplete personal information is being reviewed by CS
- Object to CS's handling and use of your personal information in defined circumstances

Some job vacancies may involve psychometric testing of applicants as part of the recruitment process. CS does not base its recruitment decisions solely on the results of such testing. This testing does not therefore constitute automated decision-making for the purposes of Data Protection Laws.

## Making a complaint

If you have any concerns with how CS has handled and used your personal information, you should contact the CS Data Protection Officer in the first instance, as CS would welcome the opportunity to work with you to resolve any complaint.

The contact details for the CS Data Protection Officer are as follows:

Data Protection Officer

Creative Scotland

2-4 Waterloo Place

Edinburgh

EH1 3EG

Telephone: 0330 333 2000

Email: [dataprotection@creativescotland.com](mailto:dataprotection@creativescotland.com)

If you are still dissatisfied, you can submit a complaint to the Information Commissioners Office (ICO) either by telephone or by completing an online form. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website link: <https://ico.org.uk/concerns/>

## Definitions:

You, Your, Yourself	means the job applicant, who the personal information is about
Data Protection Laws	includes the Privacy and Electronic Communications (EC Directive) Regulations 2003; any legislation implementing the Privacy and Electronic Communications Directive 2002/58/EC of 12 July 2002; the General Data Protection Regulation (EU) 2016/679 of 27 April 2016 (GDPR); and any legislation supplementary to the GDPR introduced in the United Kingdom, including the Data Protection Act 2018
Controller	determines how and why personal information is handled and used
European Economic Area	means the Member States of the European Union, Iceland, Norway and Lichtenstein
Personal Information	means information relating to a living individual who can be identified