Job Applicant Privacy Notice

Transport for Wales (TfW) is aware of its legal obligations in relation to the collection and processing of personal data. We are committed to processing your data securely and transparently. This privacy notice sets out, in line with our legal obligations, the types of data that we collect and hold on you as a job applicant. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This version was last updated on 20 July 2018.

Data Controller Details

TfW is a data controller. We determine how we hold and use your personal data, namely for the purposes of our recruitment exercises. Our registered office address is:

Transport for Wales
QED Centre
Main Avenue
Treforest Industrial Estate
Pontypridd
Rhondda Cynon Taff
CF37 5YR

Data Protection Principles

In relation to your personal data, we will:

- Use it fairly, lawfully and in a clear, transparent way;
- Collect it only for reasons that we have clearly explained to you;
- Only use it in the way that we have told you about;
- Ensure that it is correct and up to date;
- Keep your data only for as long as we need it; and
- Keep it secure.

Types of Data We Collect

Relating to your interest and/or application to work with us, we collect a range of personal data about you, including:

- Your personal details including your name, address, date of birth, email address and phone numbers;
- Your photograph;
- Your gender;
- Your marital status;
- Whether or not you have a disability;
• Equal opportunities monitoring information;
• Information on your CV including your skills, experience, references, education history and employment history;
• Documentation relating to your right to work in the UK; and
• Driving licence.

How We Collect Your Data

We collect data about you in a variety of ways, including the information you would normally include in a CV or a job application, or notes made by our recruitment panel during an interview. Other details may be collected directly from you in the form of official documentation, such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as former employers when gathering references or credit reference agencies. We also use a third party recruitment organisation to collect and process applications and personal information on our behalf to progress the recruitment exercise. The third party organisation only processes your personal data on our instructions and they are subject to a duty of confidentiality.

Personal data is kept in personnel files within our HR systems and on other ICT systems (including email).

Why We Use Your Data

We need to use (process) your data for certain reasons:

• To take steps at your request prior to entering into a contract with you;
• To process your data to enter into a contract with you;
• To comply with our legal obligations (e.g. to check a successful applicant’s eligibility to work in the UK);
• To carry out our legitimate interests in the recruitment process and to keep records of the process. Processing data from applicants allows us to manage the recruitment process, assess and confirm an applicant’s suitability for employment and decide to whom to offer a job;
• To determine if applicants are disabled and to make reasonable adjustments for candidates who have a disability; and
• To respond to and defend legal claims against us.

We will not use your personal data for any other purpose unless you are successful in gaining employment with us, in which case your personal data will be retained in accordance with our Employee Privacy Notice.

Special Categories of Data

We may collect and process special categories of data. This is personal data relating to your:
• Health;
• Sex life;
• Sexual orientation;
• Race;
• National or ethnic origin;
• Political opinion;
• Religion, philosophical or moral beliefs;
• Trade union membership and
• Genetic and biometric data.

We will use your special category data for the following reasons:

• To consider whether we need to provide appropriate adjustments for disabled applicants during a recruitment process;
• To ensure meaningful equal opportunity monitoring and reporting; and
• To carry out our legal obligations and exercise specific rights in relation to employment.

**Criminal Conviction Data**

For certain roles we are obliged to collect criminal conviction and offences data. Where we seek this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.

**If You do not Provide Your Data to Us**

One of the reasons for processing your data is to allow us to carry out an effective recruitment process. Whilst you are under no obligation to provide us with your data, we may not be able to process, or continue with (as appropriate), your application.

**Sharing Your Data**

Your data will be shared internally with colleagues within TfW where it is necessary for them to undertake their duties relating to recruitment. This includes, for example, the HR department, those who are responsible for sifting your application and interviewing you, managers in the business area with a vacancy, the ICT department where you require access to our systems to undertake any assessments requiring ICT equipment.

Other than the third party recruitment organisation used by us to collect and process applications, we will not share your data with third parties unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain references, employment background check providers to obtain necessary background checks and, if necessary, the Disclosure and Barring Service to obtain necessary criminal records checks.

We do not transfer your data outside of the European Economic Area.

**Protecting Your Data**
We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties. In addition, we limit access to your personal data to those employees, agents, contractors and other third party organisations who have a business need to know.

Where we engage third parties to process your personal data, we provide written instructions to them to ensure that your data are held securely and in line with legal requirements. Third parties are under a duty of confidentiality and must implement appropriate technical and organisational measures to ensure the security of your data.

How Long We Keep Your Data For

In line with data protection principles, we only keep your data for as long as we need it for and this will depend on whether or not you are successful in obtaining employment with us.

If your application is not successful we will keep your data for a period of 12 months once the recruitment exercise ends. If your application is successful, your data will be kept and transferred to the systems we administer for employees and retained in accordance with our Employee Privacy Notice.

Your Rights in Relation to Your Data

The law on data protection gives you certain rights in relation to the personal data we hold on you. You have the right to:

- Access and obtain a copy of the data that we hold on you;
- Have any data that we hold about which is incomplete or inaccurate, corrected;
- Have us delete or stop processing your data, for example where you believe there is no reason for us to continue processing it; and
- Object to the processing of your personal data where we are relying on your consent or TfW legitimate interests as the legal ground for processing.

If you wish to exercise any of the rights explained above please contact:

Data Protection Officer
Transport for Wales
South Gate House
Cardiff
CF10 1EW

data@protection@tfw.gov.wales

Please note that, as not all of these rights apply to all information, we may not be able to comply with your request. We will tell you if this is the case.

Making a Complaint
The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO (www.ico.org.uk).