

Whitley Fund for Nature (WFN)
GDPR CANDIDATE PRIVACY NOTICE (UK)

1. **What is the purpose of this document?**

1.1. Whitley Fund for Nature (“Charity”) is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation (*EU* 2016/679) (GDPR).

2. **Data protection principles**

2.1 We will comply with data protection law and principles, which means that your data will be:

2.1.1 Used lawfully, fairly and in a transparent way.

2.1.2 Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

2.1.3 Relevant to the purposes we have told you about and limited only to those purposes.

2.1.4 Accurate and kept up to date.

2.1.5 Kept only as long as necessary for the purposes we have told you about.

2.1.6 Kept securely.

3. **The kind of information we hold about you**

3.1 In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

3.1.1 The information you have provided to us in your curriculum vitae and covering letter, including (but not limited to) name, title, address, telephone number, personal email address, social media accounts, date of birth, gender, employment and volunteer history, and qualifications.

3.1.2 Any information you provide to us during an interview.

3.1.3 Any assessments or tests you complete for us during the recruitment process.

3.1.4 Any information provided to us by your referees, in the case that we contact them for a reference.

3.2 We may also collect, store and use the following "special categories" of more sensitive personal information:

3.2.1 Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

3.2.2 Information about your health, including any medical condition, health and sickness records.

3.2.3 Information about criminal convictions and offences.

4. How is your personal information collected?

4.1 We collect personal information about candidates from the following sources:

4.1.1. You, the candidate.

4.1.2. A recruitment agency if used, from which we collect the following categories of data: Your name, title, address, telephone number, personal email address, date of birth, gender, employment and volunteer history, and qualifications.

4.1.3. Your named referees, from whom we collect the following categories of data: Your employment history, competencies, achievements, work performance or character.

4.1.4. The following data from third parties is from a publicly accessible source: your employment history.

5. How we will use information about you

5.1 We will use the personal information we collect about you to:

5.1.1 Assess your skills, qualifications, and suitability for the role.

5.1.2 Carry out reference checks, where applicable.

5.1.3 Communicate with you about the recruitment process.

5.1.4 Keep records related to our hiring processes.

5.1.5 Comply with legal or regulatory requirements.

- 5.2 It is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role.
- 5.3 We also need to process your personal information to decide whether to enter into a contract of employment with you.
- 5.4 Having received your CV and covering letter, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview, as well as an assessment, to decide whether to offer you the role. If we decide to offer you the role, we will then take up references before confirming your appointment.
- 5.5 If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

6. How we use particularly sensitive information

- 6.1 We will use your particularly sensitive personal information in the following ways:
 - 6.1.1 We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during an interview.
 - 6.1.2 We may use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

7. Information about criminal convictions

- 7.1 We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- 7.2 Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

7.3 We do not envisage that we will hold information about criminal convictions.

7.4 We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

8. Automated decision making

8.1 Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

8.2 Where we have notified you of the decision and given you 21 days to request a reconsideration.

8.3 Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.

8.4 In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

8.5 If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

8.6 You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

8.7 We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

9. Data sharing

9.1 We will only share your personal information with the following third parties for the purposes of processing your application: Our IT providers and database platform (Salesforce CRM). All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

9.2 We may transfer your personal information outside the EU in accordance with clause 10 of this Privacy Notice. If we do, you can expect a similar degree of protection in respect of your personal information.

10. Transferring information outside the EU

10.1 We may transfer the following personal information we collect about you to the United States in order to properly perform our recruitment processes:

10.1.1 The information you have provided to us in your curriculum vitae and covering letter.

10.1.2 The information you have provided in your application, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications and any other information that you choose to provide on the application.

10.1.3 Any information you provide to us during an interview.

10.2 There is an adequacy decision by the European Commission in respect of that country which is limited to the Privacy Shield Framework (the "Privacy Shield"). The Privacy Shield protects the fundamental rights of anyone in the EU whose personal data is transferred to the United States for commercial purposes, e.g. employment purposes. This means that the country to which we transfer your data is deemed to provide an adequate level of protection for your personal information.

10.3 However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measures to ensure that your personal information is treated by that country in a way that is consistent with and which respects the EU and UK laws on data protection: Employee Privacy Notice, Candidate Privacy Notice, Data Retention Policy, Data Protection Policy, Safeguarding Policy, Bring Your Own Device Policy and Employee Handbook. If you require further information about these protective measures, you can request it from the Director.

11. Data security

11.1. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from WFN's Director.

- 11.2. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

12. Data retention

- 12.1. We will retain your personal information for a period of twelve months after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.
- 12.2. If you have been successful with your application, we will transfer your data to your personnel file.
- 12.3. If you have been unsuccessful with your application, we will hold your data on file for a reasonable period, which will be limited to a maximum of twelve months, thereafter it will be destroyed. Unless you consent for your data to be kept for future applications.
- 12.4. If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

13. Rights of access, rectification, erasure, and restriction

- 13.1. Under certain circumstances, by law you have the right to:
 - 13.1.1. **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - 13.1.2. **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - 13.1.3. **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

13.1.4. **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

13.1.5. **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

13.1.6. **Request the transfer** of your personal information to another party.

13.2. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact WFN's Director in writing.

14. Right to withdraw consent

14.1. When you applied for this role, you provided consent on **[INSERT DATE]** to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time. To withdraw your consent, please contact WFN's Director. Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

I, _____ (candidate name), acknowledge that on _____ (date), I received a copy of the Charity's Candidate Privacy Notice and that I have read and understood it.

Signature

Name