

## 1 Purpose

The purpose of this 'Privacy Notice' is to inform candidates about how the charity collects, processes, stores, and shares personal information about them during and after their application to work for us, in accordance with data protection laws, including the General Data Protection Regulations (GDPR) and the Data (Use and Access) Act 2025. This notice will be updated as further ICO guidance and legislative changes are published.

## 2 Privacy Notice

You have a legal right to be informed about how Friends of the Elderly uses any personal information that we hold about you.

Friends of the Elderly is a "Data Controller" in relation to your personal data. This means that we are responsible for ensuring the data you provide is kept secure, processed correctly and that you understand your legal rights in relation to the data you provide. You have been directed to this Privacy Notice because you are applying for work with us (whether as an employee, worker or contractor).

Everything we do with your personal data counts as processing it (collecting, storing, amending, transferring and deleting it) and Friends of the Elderly are required to comply with the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulations (GDPR), and the Data (Use and Access) Act 2025, collectively known as Data Protection Legislation, to make sure that your information is properly protected and used appropriately.

Personal information is any information that relates to you that can be used directly or indirectly to identify you. This includes information such as your name, address and date of birth. This may also include special category information, such as your religion, ethnicity, medical details, photos and sexual orientation.

**It is important that you read and understand this notice, together with any other Privacy Notice that is provided on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.**

## 3 Data Protection Principles

Friends of the Elderly will comply with all Data Protection Legislation and its principles. This states that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

#### 4 The kind of information we hold about you

We will collect, store, amend and use the following categories of personal information provided by you as part of an application process. We will collect the following (but not limited to):

- Name, address, email, telephone number.
- CV (if applicable).
- Answers to application questions.
- Any other information you wish to provide in support of your application.

We also collect, store and use the following types of more sensitive special category data:

- Information about your race or ethnicity, religious beliefs, sexual orientation and disability.
- Information about your health, including any medical condition, and sickness records.
- Information about criminal convictions and offences.

Different lawful bases apply depending on the specific purpose for which your personal information is processed. We rely on taking steps at your request prior to entering into an employment contract and our legitimate interests to assess your suitability for employment. Where required, we also process personal information to comply with our legal and regulatory obligations.

#### 5 How is your personal information collected?

We collect personal information about you during the recruitment process from a number of sources, including:

- **You, as the candidate**, for example when you:
  - Register on our careers website.
  - Submit an application form, curriculum vitae (CV) and covering letter.
  - Take part in interviews, assessments or tests.
  - Provide information during the recruitment process.
- **Our online recruitment system**, which we use to manage applications and onboarding. This is currently IRIS Recruitment Ultimate, provided by IRIS Software Group. IRIS processes personal data on our behalf and only in accordance with our instructions as a data processor.
- **Recruitment agencies**, where applicable. These agencies usually provide us with your name, CV, employment and education history, and supporting information. Additional personal information may be shared with us if you are appointed.

- **Referees you have nominated**, who may provide information about your previous employment, job role and duties, dates of employment, reason for leaving, and (where relevant) information relating to performance, conduct, safeguarding or suitability for the role.
- **Third-party pre-employment and compliance checking providers**, where required for the role. These checks may include identity verification, right to work checks, criminal records checks and safeguarding checks. Where such checks are required, you will be asked to provide information directly to the relevant provider and to agree to their own privacy notice before the check is carried out. We then receive the outcome of those checks for recruitment and compliance purposes.

## 6 How we will use information about you

Your information will be made available to us at FotE and IRIS, our data processors. We will use the personal information we collect about you to:

- Deal with your application.
- Communicate with you about the recruitment process.
- Generate statistical analysis.
- To contact you about other vacancies.
- Assess your knowledge, experience, skills, qualifications, and suitability for the role you are applying for.
- Carry out background, identity, DBS and reference checks, where applicable.
- Keep records related to our hiring processes.
- Comply with our legal and/or regulatory requirements.

It is in our legitimate interests to decide whether to appoint you to the role you have applied for, since it would be beneficial to our business to appoint someone to that role. We also need to process your personal information to decide whether to enter into a contract of employment with you. Different lawful bases apply depending on the purpose of processing, as explained in this notice.

Having received your application, we will then process that information to decide whether you meet the basic requirements to be shortlisted for interview for the role. If you do, we will then decide from the information you have given us whether your application is strong enough to invite you for an interview.

If we decide to invite you for an interview, we will use the information you provide to us before and during the interview to decide whether to offer you the role. If we decide to offer you the role, we will then conduct compliance checks to take up references, verify your identity, carry out a DBS check and carry out other checks, where necessary and applicable to the role.

## **7 How we use special category personal information**

We process special category personal information only where permitted under UK data protection law. This includes processing necessary for the purposes of carrying out our obligations and exercising our rights in connection with employment, equality monitoring and safeguarding, and for reasons of substantial public interest. Equality monitoring data is used only in an anonymised and aggregated form.

## **8 If you fail or refuse to provide personal information**

If you fail or refuse to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), appointment, or to meet our legal/regulatory requirements, we will not be able to process your application or appointment further.

For example, we require two references for our roles, and if you fail to provide us with the relevant details, we will not be able to comply with those requirements and will be unable to progress your application further.

## **9 Information about criminal convictions**

We envisage that we will process information about criminal convictions, for those candidates with a positive DBS/criminal records check.

Under the requirements of Regulation 19(3)(a) of the Health and Social Care Act (Regulated Activities) Regulations 2014 we are legally required to carry out criminal records checks in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role you are offered. In particular:

- For those roles involving a regulated activity and the roles managing staff undertaking regulated activity. Successful applicants will undertake an enhanced DBS check, with barred lists check, and any offer of employment will be dependent on a satisfactory outcome.
- For roles involving being left alone, training, supervising, or being solely in charge of other people in vulnerable circumstances, are eligible for an enhanced check from the Disclosure and Barring Service.
- For roles that visit services occasionally and for roles in Human Resources, Finance, Grants and Fundraising that require a high degree of trust and integrity, since they involve dealing with staff, service user data, supporter data and financial data, we would seek a basic disclosure of your criminal records history.

We have in place an appropriate policy regarding DBS checks and various safeguards which we are required by law to maintain when processing such data. Friends of the Elderly complies fully with the DBS Code of Practice, Data Protection Act 2018 and other relevant legislation regarding the safe handling, use, storage, retention, and disposal of disclosure information.

## 10 Automated decision-making

We may use automated screening tools to support the recruitment process. No decision which produces a legal or similarly significant effect is made solely by automated means. All recruitment decisions involve appropriate human oversight.

## 11 Data sharing

### **Why might you share my personal information with third parties?**

We will only share your personal information with third parties where this is necessary to manage and progress your application, to comply with our legal and regulatory obligations, or where we have another lawful basis to do so under UK data protection law.

This may include sharing your personal information with:

#### **Recruitment and onboarding systems**

We share personal information with our recruitment and onboarding system provider, IRIS Recruitment Ultimate (provided by IRIS Software Group), to manage job applications, recruitment campaigns, shortlisting, interviews and onboarding.

- **Lawful basis:**
  - Legitimate interests (to operate an effective and fair recruitment process)
  - Taking steps at your request prior to entering into an employment contract

IRIS acts as a data processor on our behalf and may only process personal data in accordance with our instructions.

#### **Pre-employment and compliance checks**

Where required for the role, we share limited personal information with specialist third-party providers to carry out legally required or role-specific checks, including right to work checks, identity verification and criminal records (DBS) and safeguarding checks.

- **Lawful basis:**
  - Legal obligation
  - Legitimate interests
  - Substantial public interest (where criminal conviction data is processed)

You will be asked to provide information directly to the relevant provider and to agree to their own privacy notice before any checks are carried out. We then receive the outcome of those checks for recruitment and compliance purposes.

### **Recruitment agencies**

Where you have applied via a recruitment agency, or where an agency supports the recruitment process, we may share relevant information with that agency.

- **Lawful basis:**
  - Legitimate interests
  - Taking steps at your request prior to entering into an employment contract

All third-party service providers are required to take appropriate security measures to protect your personal information and may only process it for specified purposes and in accordance with our instructions.

## **12 International data transfers**

In some circumstances, your personal information may be transferred outside the UK or European Economic Area (EEA). Where this happens, we ensure that appropriate safeguards are in place, such as adequacy regulations or approved contractual clauses, to protect your personal information in line with UK data protection law, including UK GDPR and the Data (Use and Access) Act 2025.

## **13 Data Security**

We have put in place appropriate technical and organisational measures to protect your personal information against accidental loss, unauthorised access, misuse, alteration or disclosure. These measures include staff training on data protection and cybersecurity, access controls, and regular review of our security arrangements as part of our governance and risk management processes.

Access to your personal information is limited to those employees, agents, contractors and third parties who have a genuine business need to know. They are required to process your personal information only on our instructions and are subject to a duty of confidentiality.

We have procedures in place to deal with any suspected data security breach and will notify you and any relevant regulator where we are legally required to do so.

Further information about data security arrangements relating to our recruitment and onboarding systems is available on request.

## **14 Data Retention**

### **How long will you use my information for?**

If you are not successful in your application, we will retain your personal information for a period of 12 months after we have communicated to you our decision about whether to appoint you to the role you applied for. 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 and disposal schedule (FGDPR REC 4.9 Retention and disposal schedule (Tier 4) v2 March 23).

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.

## 15 Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

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

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 our Data Protection Officer in writing.

We will acknowledge requests to exercise your rights within one month, in line with statutory requirements.

## 16 How can I access the information you hold about me? Your rights

We are dedicated to providing reasonable access to candidates who wish to review the personal information retained when they apply via <https://careers.fote.org.uk/> and correct any inaccuracies it may contain. If you choose to register, you may access your profile, correct and update your details, or withdraw your details at any time.

Within your candidate account, you can also use the Download Data feature to generate an XML file of the current data we hold on you that you have provided and/or have access to within the account.

## 17 Consent

We do not generally rely on consent as the lawful basis for processing personal information during the recruitment process. This is because processing your personal information is necessary to take steps at your request prior to entering into an employment contract, to comply with our legal obligations, and for our legitimate interests in operating a fair and effective recruitment process.

In limited circumstances, we may ask for your consent to process your personal information for **optional purposes**, for example where we wish to retain your details for consideration for future vacancies beyond our normal retention period. Where this applies, we will clearly explain what consent is being sought for at the time.

## 18 Right to withdraw consent

Where we rely on your consent for optional processing activities, you have the right to withdraw that consent at any time. This will not affect the lawfulness of any processing carried out before your consent was withdrawn.

Withdrawing consent will not affect processing that is necessary for the recruitment process itself, for compliance with legal obligations, or for other lawful bases described in this Privacy Notice.

To withdraw consent for any optional processing, please contact Human Resources at **HR@fote.org.uk**.

## 19 Data Protection Officer

We have appointed a Data Protection Officer to oversee compliance with this 'Privacy Notice'. The Data Protection Officer can be contacted by emailing [dpo@fote.org.uk](mailto:dpo@fote.org.uk) or calling 020 7730 8263 to discuss any issues you have with the processing and retention of your personal information.

You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO) who is responsible for data protection issues in the UK at:

<https://ico.org.uk/make-a-complaint/>

**Call:** 0303 123 1113

**Or write to:** Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 20 Review of this Policy & Procedure

This Privacy Notice will be reviewed and updated by Human Resources when any significant changes in how we collect, process, store or share your personal information occur. Any proposed changes will be agreed by the Senior Leadership Team, considering the needs of the charity, its staff and the services we provide.

Trustees and senior management oversee data protection as part of regular governance reviews and risk management, in line with charity governance best practice.

We will provide you with a new Privacy Notice when any substantial updates are made that relate to information we already hold about you. We will also notify you in other ways from time to time about the processing of your personal information.

You should also check this Privacy Notice occasionally to ensure you are aware of the most recent version.