

**Aberdeen Performing Arts**

**Recruitment Privacy Notice**

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# Purpose of the Job Application Privacy Notice

As part of any recruitment process, Aberdeen Performing Arts collects and processes personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to protecting your personal information in line with our data protection obligations.

We will use the information that we collect about you in accordance with all the applicable laws concerning the protection of personal information. They are the Data Protection Act 2018, General Data Protection Regulation 2016 and the Privacy and Electronic Communications Regulations 2003. This policy explains:

* What information we may collect about you
* How we may use that information
* In what situations we may disclose your details to third parties
* Our use of cookies to improve your use of our website
* Information about how we keep your personal information secure, how we maintain it for you and your rights to be able to access or amend it.

# Who We Are

Aberdeen Performing Arts is a private limited company by guarantee (company number SC238959) and a registered charity (charity number SC033733). Our catering, box office and commercial activities are run by a wholly owned subsidiary trading company, Aberdeen Performing Arts Trading Company Limited (company number SC254182). Aberdeen Performing Arts is a Creative Scotland Regularly Funded Organisation and also receives funding from the local authority. In addition, we have a number of project funding partners at any one time – from the public sector, business, trusts and sponsors. The rest of our income comes from sponsorships, donations and commercial activities such as the fees from ticket sales, conferences and events, catering and hospitality.

# Objectives and Activities

The charitable objectives for which Aberdeen Performing Arts is established are:

1. To present, provide or assist in the provision of facilities at reasonable cost for the performing arts, including but not limited to, music, opera, drama, contemporary and traditional dance and entertainment for the general public in the interests of social welfare and improving conditions of life;
2. To advance the education of the public in the performing arts by presenting, promoting, sponsoring, supporting and assisting in the development of public interest in, and awareness of, the performing arts within the facilities and in the community through the use of outreach programmes, publications and other media promotions.

# Our Commitment to You

* To provide clear, honest and open information about how we use your data.
* To give you the choice about how we use your data.
* To use your data appropriately and in a way that would be reasonably expected by you.
* To only share your data with other organisations where you have given your consent for us to do so, or where we need to do so to fulfil our contract with you.
* To be accountable and responsible: to take active steps to protect your data from harm, and to have separate and enhanced procedures for the use of sensitive data (such as data relating to disability).
* To ensure our staff and partners (suppliers and agencies) understand these principles and their responsibilities in delivering them.

# What information we collect

Aberdeen Performing Arts is the data controller for any data we hold about you. We collect various types of information and in a number of ways. This includes:

## Information you give us

* 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 the organisation needs to make reasonable adjustments during the recruitment process
* Information about your entitlement to work in the UK
* Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief.

We collect this information in a variety of ways. For example, data may be contained in online application forms, CVs, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

Data will be stored in a range of different places, including on your application record, in our recruitment/HR system (currently People HR), and on other IT systems (including email).

## Information from third parties

We will also collect personal data about you from third parties, such as references supplied by former employers. The organization will seek information from third parties once a job offer to you has been made, and we will inform you when we do this.

## Sensitive personal data

Data protection law recognises that some categories of personal information are more sensitive, such as medical information, race, and religious beliefs.

We may process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes only.

For some roles, we are obliged to seek information about criminal convictions and offences. 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.

# Why do we process personal data (legal basis)?

Aberdeen Performing Arts may process your data using one of four legal bases.

*Performance of a contract:* In accepting a job offer with Aberdeen Performing Arts, you are entering into a contract with us. We therefore need to process data to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into a contract with you. For example, we may need to contact you by email or telephone to arrange interviews, or to advise you of your success or otherwise in the recruitment process.

*Legitimate interest:* We collect and process your personal data for purposes that are in our legitimate business interests during the recruitment process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate’s suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims. However, we only do this if there is no overriding prejudice to you by using your personal information in this way. We describe below all situations where we may use this basis for processing.

*Legal obligation:* In some cases, we need to process data to ensure that we comply with our legal obligations. For example, it is required to check a successful applicant’s eligibility to work in the UK before employment starts.

*Explicit consent:* For any situations where the three bases above are not appropriate, we will instead ask for your explicit consent before using your personal information in that specific situation.

We will not use your data for any purpose other than the recruitment exercise for which you have applied. There may be occasions where, if your application is unsuccessful, we would like to keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before we keep your data for this purpose and you are free to withdraw your consent at any time.

# Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of OD and recruitment, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT if access to the data is necessary for the performance of their roles.

We will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. We will then share your data with former employers to obtain references for you, and, where necessary for your role, the Disclosure Scotland Service to obtain necessary criminal records checks.

We will not transfer your data outside the European Economic Area.

# Retaining your Personal Information

If your application for employment is unsuccessful, we will hold your data on file for six months after the end of the relevant recruitment process. If you agree to allow us to keep your personal data on file, we will hold your data on file for a further six months for consideration for future employment opportunities.

At the end of that period (or once you withdraw your consent), your data is deleted or destroyed through a regular programme of data suppression and deletion. This ensures that your data is not held indefinitely on our systems.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in our Employee Privacy Notice.

# Information Security

Aberdeen Performing Arts takes information security very seriously. Your data is always held securely. We put in place appropriate safeguards (both in terms of the technologies we use and the policies and procedures we publish) to keep your data as secure as possible, ensuring 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. For example, access to candidate information is strictly controlled and can only be accessed by people who need it in order to do their job. Certain data, for example sensitive information, is additionally controlled and is only made visible to members of staff who have a reason to work with it. We will ensure that any third parties we use as data processors on our behalf do the same.

# Your rights

As a data subject, you have a number of rights. You can:

* Access and obtain a copy of your data on request
* Require us to change incorrect or incomplete data
* Require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing
* Object to the processing of your data where we are relying on our legitimate interests as a legal ground for processing
* Ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact us using the contact details below.

# What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to Aberdeen Performing Arts during the recruitment process. However, if you do not provide the information, we may not be able to process your application properly or at all.

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.

# Automated decision-making

Aberdeen Performing Arts’ recruitment processes are not based on automated decision-making.

# Contact Us

If you have any queries about this policy, how your data is used, or if you wish to be removed from any communications or data processing activities, please contact the Data Protection Officer:

*By mail:* Aberdeen Performing Arts, His Majesty’s Theatre, Aberdeen, AB25 1GL

*By email:* dpo@aberdeenperformingarts.com.