

Privacy Notice

This Privacy Notice explains how Derbyshire Constabulary collects, stores, uses, discloses, retains and destroys information about candidates applying for roles within Derbyshire Constabulary and Leicestershire Police via our E-Recruitment system, and the steps we take to ensure your privacy and subject rights. It also describes the rights you have in regard to information we may already hold about you and any further personal information we might collect about you, either from you or from a third party.

The use and disclosure of personal data is governed in the United Kingdom by the Data Protection Act 2018 which is supplemented by the UK General Data Protection Regulation (UK GDPR) and incorporates the Law Enforcement Directive (LED). The Chief Constable of Derbyshire Constabulary is registered with the Information Commissioner as a 'controller' and is obliged to ensure that Derbyshire Constabulary handles all personal data in accordance with the Data Protection Act 2018 and the UK GDPR.

Derbyshire Constabulary takes its responsibility very seriously and ensures that personal data is handled appropriately in order to secure and maintain individuals' trust and confidence in the Police Service.

The Constabulary's Data Protection Officer, together with the Data Protection Team provides help and guidance to ensure that the Constabulary applies appropriate standards to protect your personal data. Personal data in these circumstances relates to any information you may have entered into the E-recruitment system to support your application.

You can contact our Data Protection Team or our Data Protection Officer if you have any questions or concerns about how we process your personal data:

Data Protection Team
Derbyshire Constabulary
Butterley Hall
Ripley
Derbyshire
DE5 3RS

Telephone: [101](tel:101)

email: DPROT@derbyshire.police.uk

Why do we process personal data?

We collect, store, use, disclose and retain personal data within E-Recruitment under the data Protection Act 2018, Part 2 – UK GDPR. Specifically for recruitment and employment within Derbyshire Constabulary and Leicestershire Police.

What personal data do we collect or handle?

- Personal details such as name, address and biographical details;
- Family, lifestyle and social circumstances;
- Education and training details;
- Financial details;
- Business interests;
- Racial or ethnic origin;

- Membership of extremist political parties;
- Religious or other beliefs of a similar nature;
- Criminal proceedings, outcomes and sentences;
- Sexual orientation;
- Physical or mental health condition;
- Licenses or permits held;
- Right to work in the UK;
- Children's personal data

Where do we obtain personal data from?

In order to carry out the recruitment and employment purpose, we may collect personal data from a variety of sources other than directly from you. Including but not limited to the following:

- Other law enforcement agencies;
- HMRC
- Partner agencies and organisations working with the police;
- Current, or past employers;
- Healthcare practitioners;
- Education, training establishments and examining bodies;
- Financial organisations and advisors;
- Local government;
- Social media companies;
- Data Processors working on behalf of Derbyshire Constabulary and Leicestershire Police;

What is our lawful basis for processing this information?

We will only use your personal data where we have an appropriate lawful basis for doing so, for example we use your personal data where:

- We need to use the information to comply with our legal obligations;
- We need to use the information for the performance of a task in the public interest;
- We need to use the information to perform a contract with you;
- We need to use the information to comply with law enforcement;
- We have your consent to process the data for a specific purpose;

Where we rely on consent to process data, you have the right to withdraw this at any time. To withdraw consent please contact the Data Protection Team using the details provided, or as specified on the relevant consent form.

How do we process your personal data?

In order to achieve the purpose described above, we will handle your personal data in accordance with the Data Protection Act 2018 and UK GDPR.

We will ensure that any personal data is:

- Processed lawfully, fairly in a transparent manner in relation to individuals;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

- Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- Adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed;
- Accurate and where necessary kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard for the purposes for which they are processed, are erased or rectified without delay;
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

How long will personal data be retained within e-recruitment?

Your personal data will be retained within e-recruitment for a minimum of 2 years, unless we have your consent to retain the personal data for longer than this period. This may take place when candidates are placed on a select list for a role.

How do we ensure the security of personal data?

Derbyshire Constabulary takes the security of all personal data under our control very seriously. We will comply with the relevant parts of the Data Protection Act 2018, the UK GDPR and LED relating to security and seek to comply with the National Police Chiefs Council (NPCC) and relevant parts of the ISO27001 Information Security Standard. Our E-Recruitment system is also compliant with ISO27001.

Who will we disclose personal data to?

- Home Office
- HMRC
- National Statistics Office
- Other law enforcement agencies
- Education, training and examination bodies whom we partner with
- Credit Reference Agencies and other financial organisations
- Healthcare organisations

What rights do you have about how we manage your personal data within the E-Recruitment system?

The UK GDPR provides certain rights for individuals, however all of these rights do not apply in all circumstances. Details of the rights are described below:

The right to be informed – You are entitled to be told how we obtain, use, retain and store your personal data and who we share it with. This is described in this privacy notice.

The right of access – Previously a Subject Access request. You can request access, which may be subject to some exemption, to a copy of information that may be held about you, along with the information on what personal information we use, why we use it and who we share it

with, how long we retain it for and whether it has been used for any automated decision making. You can usually make a request for access free of charge. Please see the Derbyshire Constabulary or Leicestershire Police websites for ways to request this information.

The right to rectification – Under Article 16 of the UK GDPR, individuals have the right to have inaccurate or incomplete personal data rectified. We can refuse this request where the data is necessary and proportionate or relates to “relevant personal data” i.e. to avoid obstructing an official or legal inquiry, investigation or procedure or to avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties, as detailed above. The request must be processed within one month, or three months in complex cases. Where a request is refused the individual must be notified and where no action is taken individuals have a right to be informed of how to seek a judicial remedy.

The right to erasure - Under Article 17 of the UK GDPR, individuals have the right to Have personal data erased to prevent processing in specific circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed
- When the individual withdraws consent
- Where the individual objects to the processing and there is no overriding legitimate interest in continuing with the processing
- When the personal data was unlawfully processed
- When the personal data has to be erased in order to comply with a legal obligation
- When the personal data is processed in relation to the offer of information society services to a child

We can refuse such a request where it is necessary and proportionate or relates to “relevant personal data”, i.e. to avoid obstructing an official or legal inquiry, investigation or procedure or to avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties.

The right to restrict processing – Under Article 18 of UK GDPR, individuals have the right to restrict the processing of personal data, for example, if an individual believes that the data is incorrect, but it is not possible to confirm the accuracy of the data. We can refuse such a request where it is necessary and proportionate or relates to “relevant personal data”, in order to avoid obstructing an official or legal inquiry, investigation or procedure or to avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties.

Where a request is received, the individual must be informed in writing as to whether the request has been granted, and if it has been refused, the reasons why.

The right to data portability – Under Article 20 of the UK GDPR, individuals have the right to data portability which allows individuals to obtain and reuse their personal data for their own purposes across different service. It allows the copying or transfer of personal data easily from one IT environment to another in a safe and secure way without hinderance to usability. The personal data must be provided in a structured, commonly used and machine readable form. The information must be provided free of charge.

The right to object – Under Article 21 of the UK GDPR, individuals have the right to object to processing based on legitimate interests or the performance of a task in the public

interest/exercise of official authority (including profiling), and processing for purposes of scientific research and statistics.

Rights in relation to automated decision making including profiling – Under Article 22 of the UK GDPR, individuals have the right to object to decisions made about them on the basis of automated processing including profiling, where those decisions have legal or other significant effects. This includes processing where there is no human intervention for example where automated processes are used to sift recruitment applications.

An individual has the right to withdraw their consent – There may be circumstances in which individuals have given consent to use their information; this can be withdrawn at any time by writing to the Data Protection Officer using the details provided above.

Individuals have the right to complain to the Information Commissioner's Office if they believe they are or have been adversely affected by the handling of personal data via the E-Recruitment process.

Monitoring

Derbyshire Constabulary and Leicestershire Police may monitor or record and retain telephone calls, texts, email and other electronic communications to and from the recruitment team in order to deter, prevent and detect inappropriate or criminal activity, to ensure security, and to assist the purpose of processing detailed above.