



# Belfast Harbour

## PRIVACY NOTICE- APPLICANTS

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## **1.0 Who we are- The Data Controller**

'We' are, Belfast Harbour Commissioners

We are the "Controller" for the purposes of data protection law. 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).

## **2.0 Data Protection Principles**

We will comply with data protection law and principles, which means that your data will 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.

## **3.0 What information do we hold & how do we obtain it?**

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

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications.
- Any information you provide to us during an interview.

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

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

## **4.0 How is your personal information collected?**

We collect personal information about candidates from the following sources:

- You, the candidate.
- Any recruitment agency, involved in your recruitment. The recruitment agency may provide us with a copy of your CV and contact details.
- Access NI/relevant vetting authorities
- Your named referees, from whom we collect the following categories of data: references if you are successful.

## **5.0 How we will use information about you**

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



- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

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.

We also need to process your personal information to decide whether to enter into a contract of employment with you.

Having received your CV and covering letter or your application form, 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 to decide whether to offer you the role. If we decide to offer you the role, we will then take up references and/or carry out a criminal record before confirming your appointment, where applicable.

## **6.0 If you fail to provide personal information**

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.

## **7.0 How we use particularly sensitive information**

We will use your particularly sensitive personal information in the following ways:

- 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 interview.
- We will 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.

## **8.0 Information about criminal convictions**

We may process information about criminal convictions where we are legally authorised to do so.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We will carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.

## **9.0 Automated decision making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

## **10.0 Data sharing**

We may share information relevant to any request by you for adjustments to the recruitment process as a result of an underlying medical condition or disability with medical / occupational health professionals to enable us to identify what, if any, adjustments are needed in the recruitment process and, if you are successful, once you start work. Our legal



basis for sharing this information is that it is necessary for entry into a contract; it is in our legitimate interest to consider adjustments to enable job applicants to participate fully in the recruitment process and it is necessary to comply with our legal obligations.

We may share your personal data that is relevant, where appropriate, with our legal and other professional advisers, in order to obtain legal or other professional advice about matters related to you or in the course of dealing with legal disputes with you or other job applicants. Our legal grounds for sharing this personal data are that it is in our legitimate interests to seek advice to clarify our rights and obligations and appropriately defend ourselves from potential claims; it is necessary to comply with our legal obligations / exercise legal rights in the field of employment and it is necessary to establish, exercise or defend legal claims.

We may share your right to work documentation with the Home Office, where necessary, to enable us to verify your right to work in the UK. Our legal ground for sharing this personal data is to comply with our legal obligation not to employ someone who does not have the right to work in the UK.

### **11.0 Data security**

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. These include physical and administrative security measures at our offices, firewalls and continuously updated anti-virus programmes and encrypted storage. 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. 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.

Our Company data is stored in the following locations:

- On servers in our office in Northern Ireland
- Across our sites connected by a secure communications system
- Locked filing cabinets

### **12.0 Data retention**

We will retain your personal information for a period of twelve months after the recruitment process is complete. 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 HR Personal Data inventory.

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.

### **13.0 Your rights**

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

#### **13.1 Request access**

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.



### 13.2 Request correction

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.

### 13.3 Request erasure

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)

### 13.4 Object to processing

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.

### 13.5 Object to processing

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.

### 13.6 Request the transfer

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 us as [PeopleTeam@belfast@harbour.co.uk](mailto:PeopleTeam@belfast@harbour.co.uk).

## 14.0 Changes to this notice

We may update this notice from time to time. Any updates will be published.



# Belfast Harbour

## CRIMINAL RECORDS INFORMATION POLICY

### 1.0 Introduction

At Belfast Harbour Commissioners ("BHC"), we are committed to complying with our data protection obligations including:

- in relation to the circumstances in which we seek criminal records information;
- by being concise, clear and transparent about how we obtain and use such information, and how (and when) we delete it once it is no longer required; and
- by ensuring the correct handling, use, storage, retention and disposal of information.

This Criminal Records Information Policy (the "Policy") supplements BHC's Data Protection Policy. It sets out BHC's policy on collecting criminal records data and is our appropriate policy document which is required under data protection law.

Having a criminal record will not necessarily bar you from working with us. However, this will depend on the nature of the offence. We will take into account the circumstances and background of any offences and whether they are relevant to the position in question, balancing the rights and interests of the individual, our employees, clients, suppliers and the public.

We will treat all applicants, employees and volunteers fairly but reserve the right to withdraw an offer of employment if you do not disclose relevant information, or if the relevant check reveals information which we reasonably believe would make you unsuitable for the role.

The Data Protection Officer ("DPO") is responsible for informing and advising BHC and its staff on its data protection obligations, including in relation to criminal records information, and for monitoring compliance with those obligations and with the Company's policies. If you have any questions or comments about the content of this policy or if you need further information, you should contact the DPO.

### 2.0 Scope and definitions

This policy applies to criminal records information processed by BHC. The definitions set out in BHC's Data Protection Policy, apply to this policy.



### **3.0 Asking for criminal records information**

BHC will only process criminal records information when it is justified and there is a legal basis for doing so, such as:

- where it is necessary for compliance with a legal obligation to which BHC is subject (e.g., BHC may be required by law for certain roles); or
- where processing is necessary for the purposes of the legitimate interests pursued by BHC; or
- you have consented to the check being carried out.

BHC may gather criminal records data in the following circumstances:

- when asking questions about a prospective (or existing) employee's criminal record;
- when processing job applications from individuals who are applying for positions at BHC; or
- when receiving information from existing employees or workers about criminal convictions or cautions.

Where an unprotected conviction or caution is disclosed in the context of an employment application, BHC will carry out a risk assessment.

In carrying out a risk assessment, BHC will take account of:

- the relevance of the conviction or other matter revealed to the position in question;
- the seriousness of the offence or other matter revealed;
- the circumstances of the offence;
- the age of the offence;
- whether there is a pattern of offending; and
- whether circumstances have changed since the offending took place.

BHC will consider whether the unprotected conviction or caution impacts on an individual's integrity and suitability to work as a BHC employee.

### **4.0 Training**

BHC will ensure that all those within the organisation who are involved in the recruitment process:

- have been suitably trained to identify and assess the relevance and circumstances of offences; and
- have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

### **5.0 Storage, access and handling**

To protect your data, we have in place security precautions which include but are not limited to:

- Physical and administrative security measures at the People Team offices
- Firewalls and continuously updated anti-virus programmed
- Encrypted storage

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. 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.



Our Company data is stored in the following locations:

- On servers in our offices in Northern Ireland
- iTrent recruitment system
- Locked filing cabinets

## **6.0 Usage**

Information must only be used for the specific purpose for which it was requested.

## **7.0 Retention**

All data is stored in line with BHC's HR retention and disposal of records schedule. If you require further information, please contact the DPO.

Once a recruitment (or other relevant) decision has been made, BHC does not keep applicant information for any longer than is necessary. This is generally for a period of up to 12 months, to allow for the consideration and resolution of any disputes or complaints or matters requiring further investigation.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

## **8.0 Disposal**

Once the retention period has elapsed, we will ensure that any applicant information is destroyed by secure means, e.g., by shredding, pulping or burning. While awaiting destruction, information will not be kept in any insecure receptacle (e.g., waste bin or confidential waste sack).

We will not keep any photocopy or other image of the information or any copy or representation. However, notwithstanding the above, we may keep a record of the date of issue, the name of the subject, the type of check requested, the position for which the information was requested, the unique reference number of the confirmation and the details of the recruitment decision taken.

## **9.0 Changes to this notice**

We may update this notice from time to time. Any updates will be published.

If you have any questions about us or how we handle your data, please contact us at [PeopleTeam@belfast-harbour.co.uk](mailto:PeopleTeam@belfast-harbour.co.uk).

The DPO can be contacted at Harbour Office, Corporation Square, Belfast, by email at [dataprotectionofficer@belfast-harbour.co.uk](mailto:dataprotectionofficer@belfast-harbour.co.uk).