

## Privacy Notice (GDPR) – Recruitment

### Who we are:

The Police Service of Scotland is a constabulary established under the Police and Fire Reform (Scotland) Act 2012. Its headquarters is located at Tulliallan Castle, Kincardine, FK10 4BE, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: [dataprotection@scotland.pnn.police.uk](mailto:dataprotection@scotland.pnn.police.uk), and by telephone on 101.

### About this notice:

This notice is to advise you of how your personal information will be dealt with (processed) by Police Scotland and your rights in relation to the processing. This notice covers information processed for any non-crime purpose.

The Chief Constable of the Police Service of Scotland is the controller of your personal information and is the authority that decides the purposes for which your personal information will be processed. Police Scotland can be contacted by telephoning 101.

The tables below provide you with details of:

- why we process your personal information;
- what our legal basis is for having it;
- whether you have a legal duty to provide it to us and;
- what will happen if you decide not to provide it;
- the length of time we will keep your information;
- who we will share it with;
- the categories of your information we hold (if we have obtained the information from someone other than you) i.e.
  - personal data (see guidance sheet) or
  - special categories of personal data (see guidance sheet)

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**Purpose and basis for processing:**

Purpose of Processing	Legal Basis for Processing	Categories of individuals	Categories of personal data	Legal requirement to provide information	Consequences of failing to provide information
<p>We will ask you for your personal details to process your application to ensure suitability for the appointment of Police Constable or Special Constable.</p>	<p>Police Officers &amp; Special Constables</p> <p><b>Public Task</b> Police Officers are bound by Police Regulations and determinations</p> <p>Compliance under the GDPR Article 6.1 (e).</p>	<p>Members of the public</p>	<p><b>Personal Data:</b> Name, date of birth, address, email address, phone numbers, photographic ID, identification number, driving licence number, passport number, national insurance number, previous employment and employer details, qualifications, previous military service, tattoo information, next of kin details, children / dependents details, bank details.</p> <p><b>Special Categories of Data:</b> Age, Disability, Sex, Transgender identify Sexual orientation, Religion or belief, Ethnicity.</p> <p><b>Biometrics:</b> (substance misuse results), physical or mental health and medical information.</p>	<p>Police and Fire Reform (Scotland) Act 2012.</p> <p>Police Service of Scotland Regulations 2013 which stipulate the essential criteria for appointment.</p>	<p>Failing to provide this information would mean we would be unable to manage the recruitment, assessment and selection process for the vacancy / role that you have applied for.</p> <p>Your application would not be progressed.</p>

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<p>We will ask you for your personal details to process your application to ensure suitability for the appointment as a member of police staff</p>	<p>Police Staff  <b>Performance of a contract</b>                      Members of Police Staff work under the terms and conditions of a contract                      GDPR Article 6 1(b) &amp; Article 9.2 (b)</p>	<p>Members of the public                      Members of Staff</p>	<p><b>Personal Data:</b>                      Name, date of birth, address, email address, phone numbers, photographic ID, identification number, driving licence number, passport number, national insurance number, previous employment and employer details, qualifications.  <b>Special Categories of Data:</b>                      Age, Disability, Sex, Transgender identify                      Sexual orientation, Religion or belief, Ethnicity.                      Physical or mental health and medical information.</p>	<p>To comply with Employment Law, Employment Rights Act 1996.                      Police and Fire Reform (Scotland) Act 2012</p>	<p>Failing to provide this information would mean we would be unable to manage the recruitment, assessment and selection process for the vacancy / role that you have applied for.                      Your application would not be progressed.</p>

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<p>We will ask you to submit a completed Equality &amp; Diversity Monitoring Form when you submit your completed application.</p>	<p><b>Consent</b>                      GDPR Article 6.1(c) and Article 6.1(b) and Article 9.2(b).</p>	<p>Police Officers and Staff                      Contractors                      Agency Workers                      Temporary Workers</p>	<p><b>Special Categories of Data:</b>                      Age                      Disability                      Sex                      Transgender identify                      Sexual orientation                      Religion or belief                      Ethnicity</p>	<p>No legal requirement.                      This information is not mandatory.                      Any Information that you do give will be treated as sensitive data and will not be used in a way that will identify you as an individual.                      The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 sets out our responsibilities as a public body to be transparent about our compliance with the Equality Duty and to gather and use employee information. This means we gather personal data and equality information from you as part of the recruitment process.</p>	<p>There is no impact to you if you do not provide this information. Without it SPA / Police Scotland would be unable to accurately monitor the effectiveness of our equality and diversity practices both as an employer and as a service provider that recognises the value that a diverse workforce can bring.                      We would be unable to ensure that our processes and procedures are accessible to all.                      We would be unable to identify trends and take action to ensure that we reflect the communities that we serve.                      We would be unable to carry out accurate employment monitoring and provide statistical reports as required by law.</p>

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<p>We will ask you to tell us if you have a disability.</p>	<p>Police Officers &amp; Special Constables</p> <p><b>Public Task</b> Police Officers are bound by Police Regulations and determinations</p> <p>Police Staff</p> <p><b>Performance of a contract</b> Members of Police Staff work under the terms and conditions of a contract</p>	<p>Members of the public</p> <p>Police Officers and Staff</p> <p>Contractors</p> <p>Agency Workers</p> <p>Temporary Workers</p>	<p><b>Special Categories of Data:</b></p> <p>Disability</p> <p>Details of any adjustments</p>	<p>No legal requirement.</p> <p>This information is not mandatory.</p> <p>Any Information that you do give will be treated as sensitive data and will not be used in a way that will identify you as an individual.</p> <p>Disclosure of disability information or the need for any reasonable adjustment can be made at any stage of the process.</p>	<p>There is no requirement for you to provide this information.</p> <p>If you do not provide this information SPA/ Police Scotland will not be able to fully meet our commitment to the Disability Confident Scheme at all stages of our recruitment and selection processes and / or within the workplace.</p>

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We will ask you information about any external Business Interests that you have.	Police Officers & Special Constables <b>Public Task</b>  GDPR Article 6.1 (e).	Members of the public	<b>Personal Data</b>  E-mail address, Phone number. Details of the nature of proposed business interest Details of individual's designation / role within business interest. Working hours  Name of any external business interest and the personal details of any business partner (name; date of birth and address)	Regulation 5 of the Police (Scotland) Regulations 2013.	The Chief Constable is required to assess and where appropriate provide consent for external business interests. Without this information the Chief Constable cannot undertake an assessment or provide consent.

Purpose of Processing	Legal Basis for Processing	Categories of individuals	Categories of personal data	Legal requirement to provide information	Consequences of failing to provide information
We will ask you to complete a health declaration form for fitness testing	Police Officers & Special Constables <b>Public Task</b>  GDPR Article 6.1 (c).	Members of the public	Personal Data - Name; Date of Birth  Special Categories of Data - Completion of a Health Declaration which asks you to confirm that you are free from illness, injury or other health or wellbeing concern on the date of the fitness assessment	Health & Safety at Work Act (1974) to protect your health and safety during this process.	Failing to provide this information would mean that you would be unable to participate in the mandatory fitness assessment for the role.  We would be unable to comply with the H&S executive by being

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					<p>unable to meet our public duty to protect your health, safety and welfare by making the appropriate risk assessments.</p> <p>Your application could not be progressed.</p>

Purpose of Processing	Legal Basis for Processing	Categories of individuals	Categories of personal data	Legal requirement to provide information	Consequences of failing to provide information
<p>We will ask that you request your own medical and optical representatives to complete a medical questionnaire and an eye-sights standard form on your behalf</p>	<p>Police Officers &amp; Special Constables</p> <p><b>Public Task</b></p> <p>GDPR Article 6.1 (e)</p>	<p>Members of the public</p>	<p>Personal Data - Name; Date of Birth; Gender; Address; Contact Telephone numbers;</p> <p>Special Categories of Data -</p> <p>If you have any disability and a comprehensive range of medical history questions.</p>	<p>To comply with Police Service of Scotland Regulations 2013 which stipulates the essential criteria for appointment.</p>	<p>Failing to provide this information would mean that you could not be certified by a registered medical practitioner approved by the Authority to be fitted both physically and mentally to perform the duties of the role applied for.</p>

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				The confidential information you provide in these forms will not be accessed by recruitment staff and only viewed by the medical and optical professionals authorised to make assessment on behalf of Police Scotland.	Under the Medical Records Act 1988 your consent is required to be obtained before any access to your medical data is released to Optima who 3 <sup>rd</sup> part provider who undertake the medical assessment on behalf of Police Scotland.



**Keeping and sharing your information:**

In this section, we explain how long we keep (retain) your information and who we might share it with:

<b>Category of information</b>	<b>Length of storage period</b> (Reference to the <a href="#">Record Retention SOP</a> )	<b>International Sharing</b> (can be left blank if no transfers)	<b>Recipients of personal information</b> (Details of organisations we pass personal information on to)
We will ask you for your personal details to process your application to ensure suitability for the appointment of Police Constable or Special Constable	Police Scotland Record Retention SOP  Section 16.0		Scottish Public Pensions Agency (SPPA), Scottish Police Authority,  SPA / PSoS Applicant Tracking System Provider  SPA / PSoS Substance Misuse Test Provider  Previous Employers (References)
We will ask you for your personal details to process your application to ensure suitability for the appointment as a member of police staff	Police Scotland Record Retention SOP  Section 16.0		Local Government Pension Scheme (LGPS), Scottish Police Authority
We will ask you to consider submitting a completed Equality & Diversity Monitoring Form when you submit your application	Police Scotland Record Retention SOP  Section 16.0		N/A
We will ask you to tell us if you have a disability	Police Scotland Record Retention SOP  Section 16.0		N/A
We will ask you information about any external Business Interests that you have	Police Scotland Record Retention SOP  Section 16.0		N/A
We will ask you to complete a health declaration form for fitness testing	Police Scotland Record Retention SOP  Section 16.0		SPA / PSoS Occupational Health Provider

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We will ask that you request your own medical and optical representatives to complete a medical questionnaire and an eye-sights standard form respectively, on your behalf	Police Scotland Record Retention SOP  Section 16.0		SPA / PSoS Occupational Health Provider  Scottish Public Pensions Agency (SPPA),

## Your Rights

You have certain rights in relation to how we process your personal information. These are listed below.

### 1. **Right of access – this is called making a subject access request.**

This means that you are entitled to, amongst other things, a copy of the information we hold on you, although there are exceptions to this. For further information and details on how to make a subject access request please click [here](#) or visit the Police Scotland Website at <http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests>

### 2. **Right to rectification.**

We must correct without delay, any personal information we hold on you which is not accurate. If you think anything is wrong, you should contact us by post or e mail. There are exceptions to when we have to correct the information, and you will be advised if we have to apply them. If it is not possible to establish the accuracy of the personal information, we will restrict how we process it, for example restrict who can see your information, or who we disclose it to.

**3. Right to erasure, restriction of processing or right to object.**

You have a right to request that we delete your personal information, but this will only be done when we are legally required to do so. On occasion it may be more appropriate to restrict how we process it, for example restrict who can see your information, or who we disclose it to.

You also have the right to object to the processing we carry out, if our legal basis for doing so, (as detailed above), is for carrying out a task in the public interest, exercising our lawful duty or we believe it is in our legitimate interests. Further information can be obtained from: [Information.Assurance@scotland.pnn.police.uk](mailto:Information.Assurance@scotland.pnn.police.uk)

If we refuse to carry out your requests in full under paragraphs 1, 2 or 3 above, you have the right to ask the Information Commissioner to check whether our decision is correct.

If you are unhappy in any way with how we have dealt with your information, you have the right to complain to the Information Commissioner.

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate)