



Recruitment Privacy Policy



1. WHAT IS THIS NOTICE?

This is the Recruitment Privacy Notice for individuals applying to work for Lothian Pension Fund, including prospective employees of LPFE Limited, workers, contractors and board members. If you start work with us following the recruitment process, the LPFE Staff Privacy Policy will apply in substitution for this notice.

LPFE Limited is the data 'controller', which means we're responsible for deciding how we hold and use your personal information.

This notice explains how and why we'll collect and use your personal information in the context of the recruitment process and your rights in relation to your personal information. We may amend this notice at any time.

If you have any questions about this privacy notice or how we handle your personal information, please contact the People & Communications department at lpfcommunications@lpf.org.uk.

2. YOUR PERSONAL INFORMATION

In this privacy notice, 'your personal information' means your personal data i.e. information about you from which you can be identified. The table at section 5 below lists your personal information that we may process.

Your 'personal information' does not include data where the identity has been removed (anonymous data).

It is important that your personal information is accurate and up to date. Please inform us if your personal information changes during the recruitment process.

3. SPECIAL CATEGORIES OF PERSONAL INFORMATION

'Special categories of personal information' means information about: your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purpose of uniquely identifying you.

Data marked * in the table at section 5 below falls within these 'special categories' or might disclose special categories of personal information. We must have additional legal grounds for processing

special categories of personal information, and these grounds are set out in the table at section 5 below.

4. WHERE DOES YOUR PERSONAL INFORMATION COME FROM?

Your personal information will come from you or us. When we're in contact with you by phone, we'll collect and store your phone number and a recording of the call. Information may also come from the following sources:

- Recruitment agencies and apprenticeship providers may give us with the following personal information: personal contact details, qualifications, schools attended, details of previous employment(s), skills and experience, hobbies and interests and interview notes
- Background check providers may give us with the following personal information:
 - Identify and Right to work verification document (such as Passport / Visa / National Insurance Number / Nationality)
 - Employment history
 - Personal address and contact information
 - The outcome of your Financial Probity Check
 - The outcome of any Criminal Record Screening (if consent has been obtained).
- Medical professionals may provide us with the following personal information: information relating to any disability that you may have, the effects of that disability, and adjustments that may need to be made to the recruitment process because of this disability
- Professional bodies such as the Law Society of Scotland may provide us with the following personal information: qualifications, registrations, practising certificates, accreditation details and membership details
- Google and social networking accounts (such as LinkedIn): as part of the recruitment process we may source personal information relating to roles you've held, details of skills and capabilities and any other information that helps us to assess your suitability for the position applied for
- HM Treasury may provide us with information to confirm that you are not listed on the UK Government's financial sanctions list.

If you'd like more detail on the source of your personal information, please contact the People & Communications team.

5. PROCESSING YOUR PERSONAL INFORMATION

We may process your personal information during and after the recruitment process. This may include collecting your personal information, recording it, storing it, using it, amending it, destroying it and in some circumstances, disclosing it.

In general, we process your personal information for the reasons, and on the legal grounds set out in the following table, and also to:

- Retain records relating to the recruitment process
- Establish, exercise or defend legal claims
- Comply with the law or requirements of a regulator
- Protect your vital interests or those of another person (in exceptional circumstances, such as a medical emergency).

Reason for processing your personal information	Legal ground(s) for processing, and legitimate interest (where applicable)	Your personal information
Contacting you regarding the recruitment process and any offer of work	To enter a contract	Personal contact details (including name, address, email, telephone number)
Making a decision about your recruitment or appointment, including assessing your skills, qualifications and suitability for the work	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation ▪ For our legitimate interests: to select suitable employees, workers and contractors 	<ul style="list-style-type: none"> ▪ Your application form, CV, any covering letter or email and interview notes ▪ Results of any recruitment assessments undertaken as part of the recruitment process
If you have accepted an offer of work from us that is subject to such checks i.e. carrying out background checks	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation ▪ For our legitimate interests: to select suitable employees, workers and contractors 	<ul style="list-style-type: none"> ▪ References and details of previous employers ▪ Professional memberships, registrations and qualifications ▪ Correspondence and results regarding the following background checks as detailed above.

<p>Determining the terms of any potential contract between you and us</p>	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation 	<p>Proposed contract between you and us</p>
<p>If you have accepted an offer of work, checking you are legally entitled to work in the UK</p>	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation 	<p>Documentation confirming your right to work in the UK</p>
<ul style="list-style-type: none"> ▪ Establishing whether you can undergo an assessment which forms part of the application process ▪ Considering reasonable adjustments to the recruitment process for disabled applicants 	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation ▪ For our legitimate interests: To select suitable employees, workers and contractors <p>*For special categories of information: To exercise or perform employment law rights or obligations</p>	<p>Information about a disability, the effects of that disability, and special arrangements that may need to be made to the recruitment process as a result of this disability*</p>
<p>Establishing whether you are eligible for our guaranteed interview scheme for disabled applicants</p>	<ul style="list-style-type: none"> ▪ To enter a contract ▪ For our legitimate interests ▪ To select suitable employees, workers and contractors <p>*For special categories of information: To exercise or perform employment law rights or obligations, To review equality of opportunity or treatment</p>	<p>Information about your disability status*</p>
<ul style="list-style-type: none"> ▪ Establishing whether you will be able to carry out a function that is intrinsic to the particular work ▪ If you have accepted an offer of work from us that is subject to such a check: assessing your fitness to work via a health questionnaire or medical report 	<ul style="list-style-type: none"> ▪ To enter a contract ▪ To comply with a legal obligation ▪ For our legitimate interests: To select suitable employees, workers and contractors <p>*For special categories of information: To exercise or perform employment law rights or obligations, For the purposes of preventive or occupational medicine, or for the assessment of your working capacity</p>	<p>Health data and sickness records, including disability information*</p>

<p>Carrying out equal opportunities monitoring</p>	<p>For our legitimate interests: To review equality of opportunity or treatment</p> <p>*For special categories of information: To review equality of opportunity or treatment, To exercise or perform employment law rights or obligations</p>	<p>The following information you have provided via any equal opportunities monitoring form we may use: Health data, including disability information*, Information regarding pregnancy and maternity*, Age and date of birth, Marriage or civil partnership status*, Gender, Information on gender reassignment*, Data revealing race, religious beliefs or sexual orientation*</p>
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6. INFORMATION ABOUT CRIMINAL CONVICTIONS

To enable us to make recruitment decisions and assess suitability for particular work, we’ll process information about criminal convictions and offences (including alleged offences) as described in this section 6.

We’ll process this information to enter a contract with you, to comply with a legal obligation, for our legitimate interests (in selecting suitable employees, workers and contractors), and to exercise or perform employment law rights or obligations.

Any offer of work from us will be subject to a satisfactory criminal record check.

7. DATA NECESSARY FOR THE CONTRACT

The table at section 5 above identifies personal information that we may need to enter a contract with you. If you don’t provide this data, we may not be able to proceed with the recruitment process or enter into the contract.

8. STATUTORY REQUIREMENT TO PROVIDE PERSONAL INFORMATION

In some circumstances, the provision of your personal information is a statutory requirement. This includes:

- Documentation confirming your right to work in the UK – if you don't provide this, we may not be able to enter into a contract with you.

9. SHARING YOUR PERSONAL INFORMATION WITH THIRD PARTIES

We may share your personal information with the following third parties if this is required by law, necessary to enter a contract with you, where there is another legitimate interest in doing so or where it is necessary to protect your vital interests or those of another person:

- Health professionals and occupational health providers involved in your care, in order to consider reasonable adjustments to the recruitment process for disabled applicants
- Relevant regulators such as the FCA
- Our service providers, including IT service providers; information service providers (including our applicant tracking system)
- Third party service providers (like Core Asset Consulting Limited), for pre-employment screening checks
- Other third parties as necessary to comply with the law.

10. AUTOMATED DECISION-MAKING

We don't envisage taking any decisions about you based solely on automated processing (i.e. without human involvement).

11. TRANSFERRING YOUR PERSONAL INFORMATION OUTSIDE THE UK

We don't intend to transfer your personal information to any country outside of the United Kingdom, or to any international organisation. If this did happen, additional safeguards will be implemented with a view to protecting your personal data in accordance with applicable laws.

12. DATA RETENTION

If you don't start work with us following the recruitment process, we'll retain your personal information for six months from the date it was provided:

- To allow us to establish, exercise or defend legal claims
- For our legitimate interests – to enable us to reconsider your application and (if appropriate) contact you, if the position you applied for becomes available again
- To allow us to perform our contracts with recruitment agencies and recruiters for the purposes of commission payments.

If you do start work with us following the recruitment process, we'll retain your personal information in accordance with the LPFE Staff Privacy Notice that you'll be given.

12. YOUR RIGHTS

You have the following rights:

- **Access:** you can request a copy of your personal information that we hold, and check we are processing it lawfully
- **Correction:** you can ask us to correct your personal information if you don't think it is accurate, complete or up-to-date
- **Deletion:** you can ask us to delete your personal information, if:
 - It's no longer necessary for the purposes for which we obtained it
 - You withdraw your consent, and we have no other legal basis for the processing
 - You validly object to the processing as described below
 - We have unlawfully processed the data
 - We must delete the data to comply with a legal obligation.
- **Objection:** if we process your personal information to perform tasks carried out in the public interest or on the basis of legitimate interests, you can object to this processing on the basis of your particular situation. We'll only then continue the processing if we have overriding legitimate grounds for this, or the processing is to establish, exercise or defend legal claims. You may also object if we process your personal information for direct marketing purposes.

- **Restriction:** you can ask us to restrict our processing of your personal information if:
 - You contest the accuracy of the data (for a period that enables us to check it)
 - Our processing is unlawful, but you don't want the data deleted
 - We no longer need the data, but you require it to establish, exercise or defend legal claims
 - You have objected (as above) and are awaiting confirmation as to whether we have overriding legitimate grounds for processing.
- **Transfer:** if our processing is based on your consent or necessary to carry out our contract with you, and is carried out by automated means, you can request a copy of the personal information you've provided to us and the transfer of this to someone else. Where technically feasible, you can ask us to transfer it directly.

Make a complaint to the Information Commissioner

If you wish to exercise any of these rights or have any queries or concerns regarding the processing of your personal data, please contact our People & Communications Team as described at Section 1 above. You have the right to lodge a complaint with the Information Commissioner's Office (ICO) if you feel your data is not being handled properly. More information on how to do this can be found here: <https://ico.org.uk/make-a-complaint>.

Please contact the People & Communications Department if you require more information on these rights or wish to exercise any of them.

13. UPDATES

This notice will be reviewed annually or following a material change in legislation or what we do. We will communicate material changes to the notice to you by email.

This Privacy Notice was last updated in February 2024.