

**DEPARTMENT FOR BUSINESS AND TRADE
PUBLIC APPOINTMENTS GDPR PRIVACY NOTICE**

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the General Data Protection Regulation (GDPR).

YOUR DATA

We may process the following personal data:

name, contact details, employment history, qualifications, CV, and other background information relevant to your application including sift and interview assessments, conflicts of interest, and political activity.

This may also include other information gathered as part of due diligence, including information obtained from public sources.

Purpose / Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data

To the extent that you are providing your personal data in relation to the Department for Business and Trade Public Appointments, the failure to provide this information will mean that we are unable to progress your application for the positions advertised.

Our legal basis for receiving and using your data.

Our legal basis for receiving and using this information is that the Department for Business and Trade and the Cabinet Office have both a legal obligation, and public task, to collect this data to ensure that high quality candidates are identified via robust recruitment processes in line with the Governance Code for Public Appointment published pursuant to Article 3(1) of the Public Appointments Order in Council 2019. If requested by the Commissioner for Public Appointments, this information can be shared pursuant to Article 4 of the Public Appointments Order in Council 2019.

We also process your data on the legal basis that it is necessary prior to entering into a contract/term of appointment to carry out pre-appointment checks. We may process special category data which comes to light during due diligence checks which has manifestly been made public by you, or where it is of substantial public interest in order to carry out our functions. If you have applied for a Department for Business and Trade public appointment, we will share your information with the members of the Advisory Assessment Panel. If requested, it may also be shared with the Commissioner for Public Appointments pursuant to Article 4 of the Public Appointments Order in Council 2019. This will be in a non-identifiable way.

We also process your data on the legal basis that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. This is enabled through section 149 of the Equality Act 2010. The specific category of personal data is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with a view to enabling such equality to be promoted or maintained. It is not carried out for the purposes of measures or decisions with respect to your application for a government public appointment. You can choose not to declare this data.

Special category data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Our legal basis for processing this information is documented above.

Recipients

If you apply or have been considered for a UK Government public appointment Information you supply to the Department for Business and Trade as part of your application for a UK Government Public Appointment may be shared with Cabinet Office.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held in a non-identifiable form for up to 5 years. This information may be shared with OCPA, your name will not be included. This data may be published in summary form.

This data is shared with Cabinet Office IT suppliers in order to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

Retention period

Applicant data will be collected on behalf of the Office of the Commissioner for Public Appointments (OCPA) via a secure section of the HM Government Public Appointments website. Department for Business and Trade may store your name, a summary of biographical details you shared and the outcome of your application for up to 3 years.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held for up to 3 years. This information may be shared with OCPA in a non-identifiable format, your name will not be included. This data may be published in summary form.

The record of the sift and interviews will be held by the Department for Business and Trade for the duration of the post.

This data is shared with Cabinet Office IT suppliers to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

Your rights

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

Automated decision making

The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences. The provision of the information you provide is not connected with individual decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual).

International transfers

As your personal data will be stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case, it will be subject to equivalent legal protection through the use of Model Contract Clauses or the Privacy Shield scheme.

Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

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

0303 123 1113

Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Contact details:

The data controller for Public Appointments is joint between the appointing department, OCPA and the Cabinet Office.

The Department for Business and Trade, contact details are:
Department for Business and Trade Public Appointment's Team
7th Floor Spur 2, 1 Victoria Street, London, SW1H 0ET