



## **PRIVACY NOTICE**

The following is to explain your rights and give you the information you are entitled to under the [General Data Protection Regulation 2016](#) (GDPR) and [Data Protection Act 2018](#) (DPA 2018).

### **1. The identity and contact details of MHCLG and our Data Protection Officer**

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. If, having read this Notice, you have any further queries on your data in respect of your application, contact [PublicAppointments@communities.gov.uk](mailto:PublicAppointments@communities.gov.uk). The Data Protection Officer can be contacted at [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk).

### **2. Why we are collecting the data**

Your personal data is being collected to enable MHCLG to select the most suitable candidate for this post, to contact you regarding your application and to manage your appointment if you are successful. The categories of your personal data that we will be using for this recruitment are:

- data application, e.g. CVs and personal statements; and
- special category personal data e.g. diversity declarations.

### **3. Legal basis for processing the data**

Data protection legislation sets out when we are lawfully allowed to process your data. The lawful basis that applies to this processing is paragraph [1\(e\) of Article 6 of the GDPR](#) as the processing is necessary for the performance of a task carried out in the public interest. Section 8 of the DPA 2018 specifies that this includes processing that is necessary for the exercise of a function of a government department. In this case, the MHCLG Public Appointments Team facilitates campaigns to appoint candidates to roles across the Department's arms-length bodies.

The lawful bases for processing your special category personal data are paragraphs 2 (b) and 2 (g) of Article 9, and Article 6, 1 (c) of the GDPR. Data provided by applicants to public appointments may be shared with the Cabinet Office. This is in order to comply with the legal obligation required by the [Governance Code on Public Appointments](#) under article 3(1) of the [Public Appointments Order in Council 2019](#). Anonymised diversity data on public appointment applicants and appointees will also be shared with Cabinet Office and the Office of the Commissioner for Public Appointments (OCPA) in order to meet our public equality duty as set out in section 149 of the [Equality Act 2010](#).

To the extent that the department may process your personal data relating to the fact of any accountable criminal convictions, the lawful basis is paragraph 1(e) of Article 6 of the GDPR, the basis in law for which is also provided by the paragraph 6, Part 2 of Schedule 1 of the DPA 2018.

### **4. With whom we will be sharing the data**

Your application will be shared with MHCLG officials and other Government Departments involved in the recruitment process including: Ministers; the Cabinet Office, the Prime Minister's Office, OCPA and, where applicable, Parliamentary Select Committees. Your special category personal data will not be divulged to these parties other than as part of anonymised summaries of candidate diversity. However: the Assessment Panel for this recruitment will be informed if you are applying under the Disability Confident Scheme after

they have assessed your application; and should you complain to the Commissioner for Public Appointments about the appointments procedure, we may need to share your diversity data with them if it is relevant to the investigation of your complaint. This data sharing is lawful because it is necessary for making public appointments in accordance with the Governance Code on Public Appointments and complies with data protection legislation.

#### **5. For how long we will keep the personal data, or criteria used to determine the retention period.**

If you are not appointed, your data will be held for up to 2 years after the recruitment has been completed. If you are appointed, we will retain your data for at least 1 year after you have left the post. Your data may be held for longer than 2 years if there is a business or legislative need. Your name may also appear in Ministerial submissions and other documents which are held as public records of the appointment process.

#### **6. Your rights, e.g. access, rectification, erasure**

The data we are collecting is your personal data, and you have rights that affect what happens to it. You have the right to:

- a. know that we are using your personal data
- b. see what data we have about you
- c. ask to have your data corrected, and to ask how we check the information we hold is accurate
- d. object to particular types of use of your data
- e. complain to the ICO (see below)

#### **7. Sending data overseas**

Your personal data will not be sent overseas.

#### **8. Storage, security and data management**

Your personal data will be stored in a secure government IT system in the UK. Special category data submitted via Microsoft Forms may be transferred to and stored outside the UK.

#### **9. Complaints and more information**

When we ask you for information, we will keep to the law, including the GDPR and the DPA 2018 and new legislation coming into force.

If you are unhappy with the way the department has acted, you can [complain](#).

If you are not happy with how we are using your personal data, you should first contact [dataprotection@communities.gov.uk](mailto:dataprotection@communities.gov.uk).

If you are still not happy, or for independent advice about data protection, privacy and data sharing, you can contact:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow, Cheshire,  
SK9 5AF  
Telephone: 0303 123 1113 or 01625 545 745  
<https://ico.org.uk/>