

## THE OFFICE OF THE DATA PROTECTION AUTHORITY CANDIDATE DATA PROCESSING NOTICE (“NOTICE”)

The Office of the Data Protection Authority for the Bailiwick of Guernsey (“ODPA”, “us”) collects and processes personal data (“Personal Data”) relating to prospective employees or contractors (“you”, “your”) to assisting them in deciding whether to employ you on either a temporary or permanent basis (“application and recruitment process”).

This Notice applies to the ODPA’s application and recruitment process only. For information on how your Personal Data is used by us in other scenarios, please view our [Data Processing Notice](#).

### WHO ARE WE?

We are the ODPA. Our legal identity and powers come from the Data Protection (Bailiwick of Guernsey) Law, 2017 (and associated statutory instruments) (“the Law”) where we are described as ‘the Authority’. You can find contact details [here](#).

### DATA PROTECTION OFFICER

The Data Protection Officer (“DPO”) for the ODPA is Vicky Le Poidevin, who can be contacted by email ([dpo@odpa.gg](mailto:dpo@odpa.gg)), telephone (+44 1481 742074) or [in writing](#)

### WHAT INFORMATION DO WE COLLECT?

The OPDA may collect any of the following information as part of the application and recruitment process.

- Contact Details (including name, address, email address, and phone numbers).
- CV’s (which may include contact details, date of birth, marital status, gender, training and qualifications, skills and experience, education and employment history and any other personal data you choose to disclose you us).
- If you chose to provide it, information required to apply for reasonable adjustments to be made relating to any protected ground. This may include special category data including health data.
- Interview Notes and other files notes (which may include previous and desired remuneration, entitlement to benefits, next of kin/dependant’s nationality and right to work in the Bailiwick of Guernsey, working schedule, opinions and notes of conversation undertaken).
- If we offer you the role, we may collect due diligence information including ID documentation, qualification evidence, bank details, tax and social security notices, referees & references and criminal records checks.

### PURPOSES AND LEGAL BASES

During the application and recruitment process, we may collect personal data from you for the following reasons and legal bases:

Purpose and use of personal data	Lawful Processing Condition
<ul style="list-style-type: none"> <li>• The administration of your application.</li> <li>• To make decisions regarding your prospective employment with the ODP.</li> </ul>	<p>The collection of this information is necessary to enable you to enter into an employment contract with the ODP. (Schedule 2, Part I, Condition 2(b))</p>
<ul style="list-style-type: none"> <li>• To allow for reasonable adjustments to be made with regards to your health and safety. (This may consist of special category data including health data).</li> <li>• To allow for reasonable adjustments to be made relating to any protected grounds. (This may consist of special category data including health data, sexual orientation data, and personal data revealing your religious or philosophical beliefs).</li> <li>• To confirm your “right to work” status.</li> <li>• Verifying your information and carrying out reference checks and/or conducting background checks (where applicable) if you are offered a job. (It is your responsibility to obtain the agreement of referees to provide a reference before providing your personal information to the ODP);</li> <li>• Complying with applicable laws, regulations or other legal duties, including checking your entitlement to work in the Bailiwick of Guernsey.</li> </ul>	<p>The collection and use of this information is necessary for the ODP to comply with its legal obligations. (Sch 2, Part I, Condition 6 and Sch 2, Part II, Condition 8)</p>
<ul style="list-style-type: none"> <li>• To conduct of background or criminal records checks (where applicable) if you are offered a job. (This may consist of special category data including criminal data).</li> </ul>	<p>This processing is justified as being in the public interest, as authorised by The Data Protection (General Provisions) (Bailiwick of Guernsey) Regulations, 2018, Schedule 2, row 7.</p>
<ul style="list-style-type: none"> <li>• Assess your skills, qualifications and interests against our career opportunities and ensure that you are suitably qualified to carry out the work required for the vacancy you apply for</li> <li>• Enable the ODP to run effectively, decide whether to employ you on either a temporary or permanent basis ensure that you are good fit for the organisation</li> <li>• Communication with you about the recruitment process and/or your application(s), including, in appropriate</li> </ul>	<p>The collection is for our legitimate interests (Schedule 2, Part I, Condition 4).</p> <p>The ODP’s legitimate interest is effective HR and recruitment management.</p> <p>When relying on our legitimate interests, we carry out a documented Legitimate Interests Assessment to ensure that our interests do not override your fundamental significant interest and that the processing is fair, proportionate and expected in the context of the recruitment process.</p>

<p>cases, informing you of other potential career opportunities at the ODPA</p> <ul style="list-style-type: none"> <li>• Respond to and defend against legal claims, disputes and disagreements.</li> <li>• Managing communications with candidates</li> <li>• Maintain accurate, up-to-date recruitment records.</li> <li>• Ensure effective general HR and business administration</li> </ul>	
<ul style="list-style-type: none"> <li>• Maintaining and promoting equality in the workplace.</li> </ul>	<p>To ensure the ODPA are keeping under review the existence or absence of equality of opportunity or treatment between the groups or protected parties (Schedule 2, Part I, Condition 16)</p>

If any of the required information is not provided as part of an application, it may not be possible to progress with your application.

#### **PARTIES ACCESSING YOUR PERSONAL DATA**

All your Personal Data provided during the application and recruitment process is be considered confidential.

The ODPA will not use or disclose your information except as provided for in this statement or if disclosure is required to fulfil a legal obligation.

Personal Data collected during the application and recruitment process will only be shared with individuals who need access to it to assess your application and manage the recruitment process.

This would usually include the Senior Leadership Team, the relevant line manager and Law at Work, a third-party provider, who are engaged to provide HR services to the ODPA. Law at Work will act as point of contact for the application and recruitment process, handling most, if not all, your personal data.

During the application and recruitment process, the ODPA may seek references from individuals of your choosing regarding your prospective employment, with personal data being provided by them within such references.

The ODPA also uses a range of other service providers to support their business operations (“third party provider”). These include a third parties IT provider and various operating systems to house data, including your personal data. If you require further information regarding to these parties or systems, please contact the DPO.

#### **PROTECTION OF YOUR DATA**

The ODPA has implemented reasonable and proportionate technical and organisational measures to help ensure the security of all personal data.

Where the ODPA engages third parties to process personal data on its behalf, this is done under written instructions and subject to strict duties of confidentiality. All third parties are required to adopt appropriate technical and organisational measures to protect your personal data.

### **RETENTION OF YOUR INFORMATION**

The ODPA will retain your information for the following periods:

- if you are unsuccessful for the role(s) you have applied for, six months from the completion of the recruitment process; or
- if you are offered and accept employment with the ODPA, the information collected during the application and recruitment process will become part of your employment record and will be processed in line with the Employee Data Processing Notice which will be provided to you at this time. .

### **DATA TRANSFERS**

As noted, “PARTIES ACCESSING YOUR PERSONAL DATA” section of this notice, the ODPA engages several third-party provider/systems (‘Processors’) to support our operations. Some of these Processor’s store or process personal data on servers located outside the EU/EEA. Where this is the case, we ensure that appropriate safeguards are in place before any transfer occurs, including the use of Standard Contractual Clauses (SCCs) in accordance with data protection legislation.

A list of the Processors involved in the recruitment process is available on request from our DPO.

### **AUTOMATIC DECISION MAKING**

The OPDA does use automatic decision making.

### **YOUR RIGHTS**

The Law provides you with a number of [specific rights](#).

If you want to make a submission in respect of any one of these rights, please contact our DPO.

### **COMPLAINTS AND APPEALS**

Section 67 of the Law provides for a right to complain to the Authority. Where that complaint relates to the processing of personal data by the ODPA, specific procedures are in place to ensure appropriate review.

### **CHANGES TO THIS DATA PROCESSING NOTICE**

This Notice was last updated on 29 April 2026 date. Previous copies of this Data Processing Notice may be obtained from the DPO.

Please contact our DPO in the first instance if you have any questions or concerns.