

Job Applicant Privacy Notice

- **Overview**
- **Questions and Answers (Q&As):**
 - Why does the Commission collect personal data from job applicants?
 - What personal data does the Commission collect about you?
 - Why does the Commission process personal data about you?
 - Does the Commission process any sensitive personal data about you?
 - How does the Commission store and protect your personal data?
 - How long does the Commission keep your personal data for?
 - Does the Commission share your personal data with other parties?
 - What rights do you have over your personal data?
 - What happens if you do not provide personal data?
- **Other information:**
 - Contact details
 - Changes to this Privacy Notice.

Overview

The Isle of Man Gambling Supervision Commission (“the Commission”) is registered with the Isle of Man Information Commissioner as a data controller under Isle of Man data protection legislation. The Commission collects and processes personal data to carry out its functions under relevant legislation and may share personal data with other parties where there is a lawful basis for doing so. Information on how the Commission collects and processes personal data can be found in the main Privacy Policy on the Commission’s website:

<https://www.gov.im/about-the-government/statutory-boards/gambling-supervision-commission/privacy-notice/>

This document is the Job Applicant Privacy Notice and provides specific information on privacy matters for individuals applying for jobs at the Commission. This document should be read in conjunction with the Commission’s main [Privacy Policy](#).

Questions and Answers (Q&As)

Why does the Commission collect personal data from job applicants?

The Commission collects and processes personal data relating to job applicants in order to carry out its recruitment process. The Commission is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

The Isle of Man has data protection laws describing what an organisation must do if it processes personal data and what rights you have in respect of your data. Please see the Information Commissioner’s website for more details: <https://www.inforights.im/>.

What personal data does the Commission collect about you?

The Commission collects the following personal data about you as part of the recruitment process:

- Full name, previous name(s)
- Contact details including email address, telephone numbers, home address
- Details of your academic and professional qualifications, skills, experience and employment history, including start and end dates with previous employers
- Information about your current employment, remuneration and benefits
- Information you supply about how you meet the criteria for the role
- Information about your criminal record (including details of any spent convictions if you are applying for the roles of a member of the Commission, Chief Executive Officer, Deputy Chief Executive Officer or Director)
- Information on disciplinary action, disqualifications, suspensions, civil litigation, bankruptcy or disqualifications
- Information about your entitlement to work in the Isle of Man
- Details of your employment, academic or personal references and contact details for your referees.

The following personal data categories will only be collected and processed by the Commission following successful application and acceptance of job offer:

- Gender, marital status, date of birth
- Previous address(es), nationality, your passport and other identity documents

The Commission may collect this information in a variety of ways. For example, data may be collected from: application forms; CVs; your passport and other identity documents such as your driving licence; correspondence with you; or through interviews.

The Commission may also collect personal data about you from third parties, such as references supplied by former employers, information from providers of employment background checks, information from criminal record checks and right to work checks, including work permit and immigration checks. The Commission will seek information from third parties if a job offer has been made to you and will seek your permission before doing so.

Why does the Commission process personal data about you?

The Commission will only process your personal data if it has a lawful basis for doing so.¹

The main lawful bases that apply to the Commission's processing of personal data of job applicants are shown in the table on the next page.

¹There are six lawful bases: consent, contract, legal obligation, vital interests, public interest and legitimate interest.

Lawful basis for processing	Explanation
Processing is necessary in order to take steps at your request prior to entering into an employment contract.	As part of the recruitment process, the Commission needs to process certain personal data prior to entering into a contract with you. The Commission will not use your data for any purpose other than for recruitment purposes and you are free to withdraw from the process at any time. Should your job application be successful and you subsequently become an employee of the Commission, other lawful bases for processing your personal data will then apply (there is a separate Employee Privacy Notice).
Processing is necessary for compliance with a legal obligation to which the Commission is subject (e.g. for the purposes of recruiting staff).	In some cases, the Commission needs to process personal data to ensure that it is complying with its legal obligations. For example, it is a requirement to check a successful applicant's eligibility to work in the Isle of Man before employment starts.
Processing is necessary for the purposes of the legitimate interests pursued by the Commission or by a third party.	The Commission has a legitimate interest in processing certain personal data about you during the recruitment process and for keeping records of the process. Processing data from job applicants allows the Commission to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide on to whom to offer a job. The Commission may also need to process data from job applicants to respond to and defend against legal claims.

Does the Commission process any sensitive personal data about you?

Some sensitive personal data (referred to as 'special category' data), about job applicants (such as information about health or medical conditions) may be processed by the Commission to carry out its employment law obligations, such as those in relation to prospective employees with disabilities.²

The main conditions that apply to the processing of special category data² of job applicants by the Commission are as follows:

Condition
Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Commission or of the employee in the field of employment and social security and social protection law.
Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Isle of Man law.

²The special categories of personal data are: race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, health, sex life or sexual orientation.

Condition

The job applicant has given **explicit consent** to the processing of their personal data for one or more specified purposes.

Should your job application be successful, the Commission will establish if you have any health or disability issues for which the Commission may need to make suitable adjustments to planned working arrangements. The Commission will do this only after if job offer has been made. Such processing of personal data is necessary for the Commission to carry out its obligations and exercise specific rights in relation to employment. The Commission will only process health data which is necessary to satisfy its duty of care to job applicants. Any health data will be held securely and will only be shared where necessary to protect the interests of job applicants and with the express permission of the individual concerned.

The Commission processes personal data about job applicants relating to criminal convictions and offences in order to carry out its obligations and exercise specific rights in relation to employment. If you apply for the following roles, the GSC will require you to provide a record of any spent convictions as part of enhanced considerations around your suitability for the role³:

- A member of the Gambling Commission
- the Chief Executive Officer
- Deputy Chief Executive Officer
- Director

How does the Commission store and protect your personal data?

Personal data will be stored in different places depending on the circumstances. These may include your application record, in Human Resources ('HR') management systems and on other IT systems (including email). The Commission will share your data with other data controllers and data processors where this is necessary for the purposes described in this Privacy Notice. Please see below for further details.

The Commission takes the security of your personal data seriously and it has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed and it not accessed except by relevant employees in the performance of their duties.

How long does the Commission keep your personal data for?

If your application for employment is unsuccessful, the Commission will hold your personal data for 12 months after the end of the relevant recruitment process to meet obligations under the Equality Act 2017. At the end of that period your data will be deleted or destroyed.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held are set out in the Commission's Record Retention Schedule.

³ [By virtue of Part 2 \(4\) of Schedule 1 of Rehabilitation of Offenders Act 2001 \(Exceptions\) Order 2018](#) Page 4 of 6
Version 1.0

Does the Commission share your personal data with other parties?

Your information may be shared with relevant Commission staff for the purposes of the recruitment exercise. This includes the HR team, interviewers and any other members of staff who are decision makers in the recruitment process.

The Commission will not share your data with third parties unless your application for employment is successful and it makes you an offer of employment. Once you give permission to do so, the Commission will share your data with former employers to obtain references for you and the Disclosure and Barring Service to obtain necessary criminal record checks.

The Commission will not transfer your personal data to countries outside the Isle of Man without either your consent or an appropriate lawful basis for doing so. Similarly, the Commission does not authorise third parties to transfer your data outside the Isle of Man unless either of those conditions are met. The Commission is under an obligation to ensure that any personal data transferred outside of the Isle of Man, the European Economic Area ('EEA') or a jurisdiction with an adequacy decision for the European Union's General Data Protection Regulation ('GDPR') (such as the United Kingdom) is subject to appropriate safeguards.

What rights do you have over your personal data?

As a data subject, you have a number of rights over your personal data and how it is processed:

- **Right to be informed** – About how the Commission uses your personal data. This Privacy Notice explains how we collect and process your personal data as an applicant for a job within the Commission.
- **Right of access** – Access and obtain a copy of your data and certain processing information on request.
- **Right to rectification** – Request the Commission to change incorrect or incomplete data.
- **Right to erasure** – Request the Commission to delete your data, for example where the data is no longer necessary for the purposes of processing.
- **Right to restrict processing** – Request the Commission to restrict processing of your data, for example where there is no longer an appropriate basis for processing.
- **Right to data portability** – To receive personal data you have provided to the Commission in a structured, commonly used and machine readable format where it is processed by automated means. You may also request that the Commission transmit this data to another controller.
- **Right to object** – Object to the processing of your data by the Commission. This only applies in certain circumstances and will therefore depend on the purpose and lawful basis for processing.
- **Rights related to automated decision making including profiling** – However, the Commission does not currently carry out any automated decision making.

If you would like to exercise any of these rights, please contact the Commission's Data Protection Officer (see contact details below).

If you believe that the Commission has not complied with your data protection rights, you can discuss your concerns with our Data Protection Officer ([see below](#)). If you are not satisfied with a response you receive from us then you can make a complaint to the Isle of Man Information Commissioner, whose details can be found on www.inforights.im. You may have a right to other remedies.

What happens if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to the Commission during the recruitment process. However, if you do not provide the information, the Commission may not be able to process your application properly or at all.

Other information

Contact details

If you have any queries on data protection matters or wish to exercise any of your rights in relation to your personal data, please contact the Commission's Data Protection Officer:

By email	DPO-GSC@gov.im
By telephone (direct)	+44 (0)1624 698322
By post	Data Protection Officer Gambling Supervision Commission Ground Floor St George's Court Myrtle Street Douglas Isle of Man, IM1 1ED

Changes to this Privacy Notice

This Privacy Notice may change. If any significant change is made to this Privacy Policy we will notify you.

Version	Date issued
1.0	7 February 2024