

Water Services Corporation

Job applicant Privacy Notice

Last modified: 4 July 2019

This Notice is effective from: 25 May 2018

Water Services Corporation is committed to complying with applicable data protection and privacy standards at all times and takes its responsibility regarding information security very seriously. Any personal data collected by the Corporation through the recruitment process is processed in accordance with this Job Applicant Privacy Notice, and in compliance with the Data Protection Acts, the ePrivacy Regulations 2011 and related legislation, the EU General Data Protection Regulation (EU Regulation 679/2016) (“the GDPR”), Chapter 586 Data Protection Act and subsidiary legislations.

1. Data Controller

“Water Services Corporation” (referred to as “we”, “us”, “our”, “WSC”, or “Corporation” in this notice) is the “data controller” of all personal information that is collected and used about Water Services Corporation job applicants. Water Services Corporation is established in virtue of Chapter 355 of the laws of Malta and having its registered address at Qormi Road, Luqa, LQA 9043.

2. Our Data Protection Obligations

As part of any recruitment process, Water Services Corporation collects and processes personal data relating to job applicants. The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

This privacy Notice is based on the following data protection principles:

- The processing of personal data shall take place in a lawful, fair and transparent way;
- The collection of personal data shall only be performed for specified, explicit and legitimate purposes and will not be further processed in a manner that is incompatible with those purposes;
- The collection of personal data shall be adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
- The personal data shall be accurate and where necessary, kept up to date;
- Every reasonable step shall be taken to ensure that personal data that is inaccurate having regard to the purposes for which they are processed, are erased or rectified without delay;
- Personal data shall be kept in a form which permits identification of the data subject for no longer than it is necessary for the purpose for which the personal data are processed;
- All personal data shall be kept confidential and stored in a manner that ensures appropriate security.

3. What Personal Data We Process, and Why

We only collect that personal data which we need to fulfil the purposes outlined in this Notice and we will not retain it for any longer than is necessary.

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to take steps at your request prior to entering into a contract with you, or to enter into a contract with you,
- where we need to comply with a legal obligation,
- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.

- where it is necessary for the performance of a task carried out in the public interest.

Personal data means any information relating to you which allows us to identify you. Water Services Corporation collects the following information:

- Your name, address and contact details, including Identity Card number and/or passport number, email address and telephone number;
- details of your qualifications, skills, experience and employment history;
- Proof of your identity and qualifications, criminal records if relevant, referees, health information (if applicable);
- Bank details and emergency contact details (if applicable);
- whether or not you have a disability for which the organisation needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in Malta.
- social security information including your social security number, and any other information necessary for tax purposes.

Water Services Corporation may collect this information in a variety of ways. For example, data might be contained in your application forms, CVs or resumes, obtained from your passport or other identity documents, or collected through interviews or other forms of assessment.

We may also collect personal data about you from third parties, such as references supplied by former employers. We will seek information from third parties only once a job offer to you has been made and will inform you that we are doing so.

We may collect personal data from you at the application stage, when shortlisting applications for an interview, during the interview and the assessment of your profile for the position, and when making a conditional and / or final employment offer.

We need to process data to take steps at your request prior to entering into a contract with you. We may also need to process your data to enter into a contract with you. In some cases, we need to process data to ensure that we are complying with our legal obligations.

Water Services Corporation has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows us to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants in the exercise and defence of legal claims.

Personal details about your physical or mental health, alleged commission or conviction of criminal offences, and trade union membership are considered “sensitive” personal data under applicable data protection laws. We will only process such data if you have either given your explicit consent, we are legally required or allowed to collect and process it, or you have deliberately made it public. We will only request such sensitive personal data that is necessary, proportionate and in pursuance of our legitimate business interests. By providing any sensitive personal data you explicitly agree that we may collect and use it in accordance with this Notice.

Water Services Corporation may process special categories of data, such as details of the applicant's disability in order to make reasonable adjustments for candidates if necessary. We process such information to carry out our obligations and exercise specific rights in relation to employment (amongst others Chapter 210 and Chapter 452 of the Laws of Malta and any and all regulations thereunder).

4. Sharing Your Personal Data

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. Your personal data will only be shared with Maltese local authorities or any regulatory body or other organisation which investigates and determines complaints about employment recruitment or which regulates employment or equality legislation, if a complaint is made about the recruitment process. We will also share personal data with our legal advisors in such cases.

We require all third parties processing personal data on our behalf to have appropriate technical and organisational security measures in place to protect your personal data, in line with Maltese and EU law on data protection standards. We further require that they do not share your personal information with any third parties without our explicit consent and without guaranteeing adequate security standards and that they will hold it securely and retain it for the period we instruct.

5. How We Protect Your Personal Data

We take the security of your data seriously. We have controls and internal policies in place to protect your data against loss, misuse and unauthorized access, alteration, disclosure, or destruction. Moreover, all efforts are being taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information.

If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with applicable law.

6. How Long Do We Retain Your Personal Data

If you are successful, the personal data you provide during the application process will be securely retained by us as part of your employee file for the duration of your employment plus 10 years following the end of your employment. This includes your criminal records, fitness to work, records of any security checks and references.

If you are unsuccessful at any stage of the recruitment process, the information you have provided will be securely retained for 6 months from the closure of the recruitment campaign. We retain your information in case any queries or issues arise in relation to the recruitment process, and we need the information to respond to such issues or queries, and/or if a suitable position were to arise with the Company within that time period which we may invite you to apply for. We will ask you for consent to keep your personal data on file for a further 6 months for consideration for future employment opportunities. At the end of that period, or once you withdraw your consent, your data shall be deleted or destroyed. You will be asked to consent via email.

7. Your rights

We respect your privacy rights and provide you with reasonable access to the Personal Data that you may have provided during the recruitment process. As a data subject you have the following rights:

- Request information about whether we hold personal information about you, and, if so, what that information is and why we are holding/using it.
- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no legitimate reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You may also object to processing where we are processing data for the performance of a task carried out in the public interest. .

- Object to automated decision-making including profiling, that is not to be subject of any automated decision-making by us using your personal information or profiling of you.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request transfer of your personal information in an electronic and structured form to you or to another party (commonly known as a right to “data portability”). This enables you to take your data from us in an electronically useable format and to be able to transfer your data to another party in an electronically useable format.
- Withdraw consent. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

If you want to exercise any of these rights, then please submit your request through WSC’s dedicated web-form which is available here or contact our DPO by post at WSC’s Data Protection Officer, WSC Head Office, Qormi Road, Luqa, LQA 9043.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you believe that the organisation has not complied with your data protection rights, you can complain to the Lead Supervisory Authority’s Data Protection Commissioner, Floor 2, Airways House, Triq Il - Kbir, Tas-Sliema SLM 1549 or <https://idpc.org.mt/en/Pages/contact/complaints.aspx>.

8. What if you do not provide personal data?

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

9. Data Protection Officer

Water Services Corporation has a Data Protection Officer (“DPO”) who is responsible for matters relating to privacy and data protection. WSC’s DPO can be reached at the following address:

Email: dpo@wsc.com.mt Address: Water Services Corporation, Qormi Road, Luqa, LQA 9043, Malta, Europe.

10. Changes to this Privacy Notice

Please note that this Privacy Notice may change from time to time. If we change this Privacy Notice in ways that affect how we use your personal information, we will advise you of the choices you may have as a result of those changes. We will also post a notice that this Privacy Notice has changed, to this page.