Job Description

DUTY LEISURE MANAGER

Breadalbane Community Campus

ORGANISATIONAL CONTEXT:

Live Active Leisure is a Company limited by guarantee with charitable status. The Company currently owns and/or operates leisure and community facilities and provides physical activity, health, fitness and wider leisure services throughout the Perth & Kinross area.

GRADE:

F

LOCALE:

The Perth & Kinross area extends to in excess of 2000 square miles, with the main population centre being Perth, where the Company Headquarters are located.

RESPONSIBLE TO:

Facility Operations Manager

RESPONSIBLE FOR:

All subordinate staff within Breadalbane Community Campus.

JOB PURPOSE:

As a member of a team of Duty Leisure Managers, you will lead, direct and supervise a team of subordinate leisure service staff and be directly responsible on a day to day basis for the effective and efficient delivery of a high quality service.

To ensure, through service delivery standards, that the needs and aspirations of members of the community and visitors to Perth & Kinross are met and where possible exceeded.

DUTIES AND RESPONSIBILITIES:

Operational Duties

Key Tasks

* To be directly responsible for the day to day operational management, service standards and performance, staffing complement planning and allocation of duties in respect of appropriate facilities and services to ensure the highest possible standards of customer care
* To constantly lead and direct the ‘front of house’ service team by example and maintain a constant high profile ‘front of house’ management team presence for staff, customers and key stakeholders through regular and planned interaction, research and consultation
* To undertake the allocation of staffing duties, performance and effectiveness monitoring, work practices and general supervision to ensure the highest standards of safety, service delivery, cleanliness (both internal and external) and customer satisfaction
* To ensure, the maintenance of any records that may be required to assist in the efficient operation of the centre or to meet the requirements of the Company, e.g. timesheets, emergency and alarms’ systems testing etc.

Financial

Key Tasks

* To be responsible, when necessary, for application of the Company's financial policies and procedures and financial regulations
* To contribute to the maximisation of income through service standards and development

Health and safety

Key Tasks

* To ensure day to day operational compliance with all appropriate operational procedures, Company guidelines, Acts of Parliament, Statutory Regulations, Codes of Practice etc.
* To contribute to the review of safe operating procedures and ensure that they are further developed and fully understood and implemented by all staff
* To ensure all new members of staff are given an induction and that, on a day to day basis, all staff enjoy a safe and healthy work environment and are issued with appropriate protective clothing
* To ensure that all accidents, incidents and dangerous occurrences are properly investigated and reported
* To attend first aid cases and administer remedial treatment as required

Maintenance

Key Tasks

* To ensure through regular monitoring and inspections that all plant, equipment and building faults and maintenance works’ requests are processed timeously and correctly to minimise service disruption or deterioration
* To contribute to the monitoring of any maintenance works being undertaken within the facilities

Human Resources

Key Tasks

* To be directly responsible for the day to day operational supervision of all staff within the facilities and contribute to a positive staff welfare and development programme
* To be directly responsible for ensuring on a day to day basis the Company’s Human Resources policies and procedures are initiated and consistently adhered to, e.g. Sickness Absence, Disciplinary, etc.
* To assist in the recruitment, selection and induction of appropriate subordinate staff
* To ensure the consistent application of a comprehensive staff assessment, training and development programme to achieve the highest possible standard of service provision
* To ensure the maintenance of all required training records for subordinate operational staff
* To assist in the training of other Company staff as necessary

Programming, Marketing and Development

Key Tasks

* To contribute to the practical on site marketing and promotion of the Company’s activities, in conjunction with Company officers and in line with the Company’s Marketing and Service Plans
* To maximise the service potential through a proactive approach to all development activities in conjunction with the Company’s Development and other staff
* To represent the Company within appropriate groups e.g. user groups, project teams, etc.
* To contribute to the on-going review and further development of facility and service programmes to ensure maximum service benefit

Training

Key Tasks

* To attend regular staff training sessions, be they held in-house or externally

General

Key Tasks

* To ensure you are physically fit to carry out your duties at all times
* To carry out other reasonable duties as may be required
* Maintain confidentiality and observe data protection guidelines
* To undertake other related duties as may be required by the Company

Person Specification

|  |  |  |  |
| --- | --- | --- | --- |
| Post name: | Duty Leisure Manager | date prepared:  | March 2024 |
| facility:  | Breadalbane Community Campus  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Attributes** | **Essential** | **Desirable** | **Assessment Method** |
| **Health & Physical** | Reliable attendanceSmart appearance |  | References from current employer |
| **Experience** | Demonstrate experience at supervisory level which includes managing staff  | Working in a leisure environmentManagement experience | Information from application form and at interview |
| **Skills (Generalist)** | Writing effectivelyDecision makingCash handlingTime managementOrganisational skills |  | Information from application form and at interview |
| **Skills (Specialist)** | TrainingCustomer careExperience with Microsoft Suite | InterviewingDisciplinaryKeyboard skillsCounselling | At interview |
| **Education & Qualifications** | RLSS National Pool Lifeguard Qualification.Scottish Swimming Teachers Qualification(Must be attained as part of offer of appointment) | . Gym Instructor Level 2. Pool Plant Operators  Certificate. RLSS Trainer Assessor (both the above to be attained once appointed) | Obtain copies of all qualifications |
| **Interpersonal &****Social Qualities** | Good communicator | Experience in handling customer complaints | At interview |
| **Disclosure Scotland** | PVG Membership |  | On offer of appointment, successful candidate to evidence membership of scheme |

Information to Applicants

**Thank you for your interest in working with us**

The following notes are designed to provide you with information about our Company and the position you are applying for. This will also assist you to complete our application form and inform you about the staff benefits we offer.

Additional information about terms and conditions for the job for which you have applied will be made available during the final selection/interview stage.

**Post Details**

**Post Name:** Full Time Duty Leisure Manager

**Salary:** Grade F - £26,786 - £28,465

Annual incremental progression applies; the annual salary award is usually effective from April in any year. Any extra hours worked will be paid at the appropriate rate.

**Working Arrangements**

37 hours per week, including evenings and weekends. There may be an opportunity for flexibility on work pattern and hours.

**Period of Notice**

The minimum period of notice to be given to terminate employment is 1 month.

**The benefits of working for Live Active Leisure**

**Our Vision** – *“To be the provider of choice in Perth and Kinross for everyone to 'live active' lives”*

Live Active Leisure strives to provide a positive and enjoyable workplace environment for our employees by engaging them in the operation and development of our business.

As well as competitive salaries at all levels, we also offer a whole package that helps you safeguard your future, develop your skills and look after your health. If you come to work for us you will receive:

* An attractive holiday package
* Automatic enrolment into the pension scheme
* Free access to all our facilities and non-bookable activities
* A wide range of training opportunities

**Organisation**

Live Active Leisure is a Company limited by guarantee with charitable status. The Company currently owns and/or operates leisure and community facilities and provides development, health, fitness and wider leisure services throughout the Perth & Kinross area.

Live Active Leisure operates 13 leisure venues and a host of community halls throughout Perthshire. They include Perth Leisure Pool - one of Scotland’s most popular aquatic attractions, Bell’s Sports Centre - a renowned national and international sports event venue and the sports facilities within 4 Community Campuses that opened in 2009.

Our aim is to provide an enjoyable experience for every customer, while improving their health and offering the widest possible range of sport and leisure opportunities. To allow us to do this, we need to employ the right people for the job. In return you will be given:

* A rewarding job
* A manager who supports you
* The chance to join a great team
* An opportunity to learn and progress

**Your Wellbeing**

Live Active Leisure aims to support our employee’s health and wellbeing by offering:

**Free Leisure Facility Access**

You are granted free casual access to all of Live Active Leisure venues. This includes swimming pools, fitness gyms and non–bookable classes and activities.

**Annual Leave Entitlement**

You will be entitled to 28 days annual leave plus 4 days fixed annual leave holiday (32 in total). Thereafter you will be entitled to an additional 5 days after 5 years continuous employment (37 in total); pro rata entitlement for part time personnel.

**Sickness Allowance**

After 6 months of service for Live Active Leisure, you will be entitled to 5 weeks full pay of sickness allowance and 5 weeks half pay of sickness allowance. After 5 years of continuous service, this rises to 26 weeks full pay and 26 weeks half pay of sickness allowance. However it should be noted that the Company reserves the right to withhold OSP.

**We think it is important to look to the future**

**Training**

To ensure Live Active Leisure provide a safe and enjoyable environment for all employees and customers, you will be given the opportunity to develop your skills, knowledge and experience. This will be achieved by attending regular training courses delivered by internal and external professionals.

**Pension Scheme**

Live Active Leisure are currently an admitted body with the local government pension scheme. All employees with a contract of 3 months or more will automatically be admitted into the scheme.

**Filling in our Application Form**

Now that you know a little more about us and our values, it is time to apply. If you haven’t explored our website yet, please take a little bit of time to explore it and find out more about how we work and where we operate - www.liveactive.co.uk.

1. Also before completing our application form, please make sure that you read the Job Description, Person Specification and Job Advert thoroughly. The application form should be used to tell us how your skills and experience fit the requirements of the post.
2. Please fill in all sections of our application form. Remember the Supporting Statement is your opportunity to give us more details about your experience and explain why you would fit into our company.
3. Then simply return the completed application form to our Company Head Office, this can be done via email to recruitment@liveactive.co.uk or by post to:

 Live Active Leisure

 Company Head Office

 Caledonia House

 Hay Street

 Perth - PH1 5HS

1. We insist that all applicants complete the Live Active application form, a Curriculum Vitae will not be considered as an application.
2. Application forms received after the closing date will not be accepted.
3. We will write and let you know if you are invited to the next stage of the selection process.

**Additional Information**

**Everyone is welcome - Equality**

Live Active Leisure actively promotes equality of opportunity for all. Therefore, if you have the right mix of talent, skills, experience and enthusiasm we will welcome your application irrespective of age, sex, disability, sexual orientation, race, colour, religion and ethnic origin. The selection of candidates for interview will be based on skills, qualifications and experience.

**Equal Opportunities Questionnaire**

The information that you supply on your monitoring form will be treated in strict confidence and will not be made available to the personnel responsible for the interview and selection procedures. The information in this questionnaire is used solely for monitoring and statistical purposes. We would encourage all candidates to complete this section, however the provision of information in this section is entirely voluntary and if you choose not to do so this will not be held against you when considering your suitability for the job.

# Entitlement to Work in the UK

Under U.K. immigration rules, it is a criminal offence for us to employ a person who is not entitled to work in the United Kingdom.

Hence, before employing any candidate, it is essential that we ensure you have the right to work here.

All candidates being selected for interview will be asked to produce the documentary evidence on date of interview.

***Proof of Right to work in UK***

If the worker has a right to work in the UK, the following rules must be followed for proof of that right:

We must be provided with one of the documents or combination of documents in List A or List B below as proof that you are allowed to work in the UK. We can only accept original documents.

 ***LIST A*** - acceptable documents to establish a continuous statutory excuse

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and colonies having the right of abode in the UK.
2. A passport or passport card (current or expired) showing that the holder is a national of the Republic of Ireland.
3. A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.
4. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
5. A current Biometric Residence Permit issued by the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A current passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
7. A current Immigration Status Document issued by the Home Office, the Border and Immigration Agency, or the UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK together with an official document issued by a previous employer or Government agency with the person’s name and National Insurance number (a P45, National Insurance card, or letter from a Government agency).
8. A birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents together with an official document issued by a previous employer or Government agency with the person’s name and National Insurance number (a P45, P46, National Insurance card, or letter from a Government agency.
9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland together with an official document issued by a previous employer or Government agency with the person’s name and National Insurance number (e.g. P45, National Insurance card, or letter from a Government agency).
10. A certificate of registration or naturalization as a British citizen together with an official document issued by a previous employer or Government agency with the person’s name and National Insurance number (e.g. P45, National Insurance card, or letter from a Government agency.

 ***LIST B***Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of leave

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work we are offering.
2. A current Biometric Residence Permit issued by the Home Office to the holder which indicates that the person named in it can stay in the UK and is allowed to do the type of work we are offering.
3. A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.
4. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
5. A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008, on or before 30 June 2021.
6. A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.
7. A current immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or previous employer. Group 2 - documents where a time-limited statutory excuse lasts for six months
8. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
9. A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
10. An Application Registration Card (ARC) issued by the Home Office, the Border and Immigration Agency stating that the holder is permitted to take the employment in question together with a Positive Verification Notice from the Home Office Employer Checking Service.
11. A Positive Verification Notice issued by the Home Office Checking Service to the employer or prospective employer which indicates that the person named on it can stay in the UK and is allowed to do the type of work we are offering.

***Document Control***

The front cover and any page containing the holder's personal details will be copied, including pages which include details of nationality, photograph, date of birth, signature, date of expiry, biometric details and any endorsements. Such copies will be kept for the duration of your employment and for a further two years after the employment has ended.

**Disclosure Scotland**

The company is committed to implementing fair and effective policy and practice for recruiting and retaining people with criminal convictions based on a full assessment of the risks involved.

Having a criminal record will not necessarily debar you from working with Live Active Leisure. This will depend on the nature of the position, together with the circumstances and background of your offences.

All positions are either subject to membership of the PVG Scheme or a satisfactory Police Act Disclosure check through Disclosure Scotland. The membership requirement or check depends upon the post applied for and the essential criteria on the Person Specification applicable to this post will advise you of this.

**Recruitment of Ex-Offenders Policy**

**Introduction**

Live Active Leisure [the Company] is committed to providing a safe and protected environment for ***Our People*** and customers to meet statute requirements and as part of our policy of good practice.

The Company is committed to equality of opportunity for all and to providing an environment that is free from unfair and unlawful discrimination.

**Purpose & Scope**

This policy presents the Company’s position in relation to the employment of ***Our People*** who have criminal convictions.

The Protecting Vulnerable Groups Scheme (PVG Scheme) is established by the Protection of Vulnerable Groups (Scotland) Act 2007.

The PVG Scheme allows the Company as a registered body to request and obtain information on whether an individual has any criminal convictions and whether or not they are barred from doing regulated work with children or protected adults either as a contracted employee, relief worker or as volunteer.

Employees who carry out ‘regulated work’ with children and/or ‘regulated work’ with a ‘protected adult’ under the 2007 Act are required to be members of the PVG Scheme. This is to ensure that they are not barred from carrying out work with children and/or ‘protected adults’.

Where a post or role does not constitute regulated work, the Company will obtain a Basic Disclosure Certificate through Disclosure Scotland.

The Company is committed to ensuring its recruitment and selection practices are fair and comply with current employment legislation and best practice.

The Company also recognises its obligation under legislation to ensure the necessary checks in respect of employees and other people who will be working with children or protected adults.

The Company is committed to equality of opportunity and aims to ensure that no applicant or employee is subject to less favourable treatment on the grounds of age, disability, race, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, sexual orientation, religion or belief or any characteristic which cannot be shown to be relevant to performance. On this basis, the Company will consider ex-offenders for appointment on their individual merits.

The fact that an individual has a conviction will not necessarily make them unsuitable for work with the Company and the Head of Corporate Support Services will consider the person's suitability as a whole in light of all the information available.

However, the Company cannot lawfully employ an individual to do regulated work of the type they are barred from doing.

**Definitions**

**Disclosure Scotland** –the agency in Scotland established to provide registered organisations with criminal history information on individuals applying for or holding relevant posts.

**Regulated Work** - means regulated work with children or regulated work with adults. The Vulnerable Groups (Scotland) Act 2007 contains a broad definition of regulated work and an employee or volunteer may be doing regulated work if they are involved in a specified activity in relation to a protected person; or if they work in a specified establishment; or if they hold a specified position.

Activities as part of a person's normal duties which indicate they are doing regulated work with children include:

§ Being in sole charge of children.

§ Caring for children.

§ Providing advice or guidance to children.

§ Teaching, instructing, training or supervising children.

§ Unsupervised contact with children.

Activities as part of a person's normal duties which indicate they are doing regulated work with adults include:

§ Being in sole charge of protected adults.

§ Caring for adults.

§ Providing advice or guidance to protected adults.

§ Teaching, instructing, training or supervising protected adults.

§ Unsupervised contact with protected adults.

**Children -** are those under 18 years of age.

A **protected adult -** is a person aged 16 or over who is protected by the Act because he or she is receiving certain services as set out in the Act: health, care or welfare service.

**A PVG Scheme Record** - or scheme record update replaces an Enhanced Disclosure Certificate. The Company will insist that all prospective employees are members of the PVG Scheme for posts which undertake regulated work with children and/or protected adults within the Company. The Company however will apply for a PVG Scheme Record or scheme update for existing employees whose role is subject to change due to structure reviews or promotions. The record will contain details of both spent and unspent convictions. In addition, it will show any information from local police records considered by the Chief Constable to be relevant to the position being sought.

**A Basic Disclosure Check** will be obtained in respect of posts or roles which do not constitute regulated work with children and/or adults. A Basic Disclosure Check contains information on unspent convictions.

**Spent and Unspent Convictions** – Sentences of more than 2½ years (30 months) can never become 'spent'. Other sentences become spent after fixed periods from the date of conviction. For a custodial sentence, the length of time actually served is irrelevant – the rehabilitation period is decided by the original sentence and commences on the date of conviction.

With a PVG Scheme Record, all convictions will be shown, whether the relevant rehabilitation period has been spent or not.

**Lead Signatory and Counter-Signatory** – Employees who are authorised to request and receive PVG Scheme Records/Basic Disclosure Scotland Certificates and criminal history information on behalf of the Company.

**Key Principles**

The terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 (as amended) apply to posts which constitute regulated work. The Company is therefore entitled to ask about previous convictions, whether spent or unspent. Applicants for posts, which constitute regulated work are not entitled to withhold information on a criminal conviction on the grounds that it is spent under the Rehabilitation of Offenders Act 1974.

The Company is a registered body which is eligible to receive PVG Scheme information upon request. Depending upon the role, checks may be made against the list of those barred from working with children, the list of those barred from working with protected adults or both lists, or a Basic Disclosure check.

Broadly speaking the following posts constitute regulated work and the individuals performing them will need to be PVG Scheme Members:

* Any post in a Community Campus
* Activity Instructors (All sports incl. swimming and gymnastics)
* Coaches
* Duty Leisure Managers
* Facility Operation Managers
* Leisure Assistants who carry coaching on shift as part of their main duties

This is not an exhaustive list and it is important to continually revisit the content of posts to see if they may involve regulated work.

The Company’s recruitment literature will make clear what checks will be made.

The Company will comply with the Code of Practice issued by Disclosure Scotland in dealing with requests for and in making decisions on disclosure information.

The Rehabilitation of Offenders Act 1974 requires the Company to assess the information obtained through the disclosure process against the requirements of the post. It is important that the Company does not exclude ex-offenders from posts within the Company, and neither must the Company persuade itself to employ ex-offenders for altruistic or social conscience reasons. The process must be fair and equitable and in the best interests of the employees and service users of the Company’s facilities.

In such cases where a criminal conviction has been brought to the Company's attention either by self-disclosure at the time of application or through a subsequent PVG Scheme/Basic Disclosure check, the Head of Corporate Support Services or other senior manager, will consider the following before taking any action:

* Whether the individual is barred from undertaking regulated work of the type applied for.
* Whether the conviction or other matter is relevant to the position in question.
* The severity of the offence or other matter.
* The length of time since the offence or other matter.
* Whether the individual has a pattern of offending behaviour.
* Whether the applicant's circumstances have changed since the offending behaviour or other matters.
* The level of contact with children (under 18) or protected adults.
* The level of supervision the person will receive.
* Whether the post involves any direct contact with members of the public
* Whether the post involves direct responsibility for finance or items of value
* The honesty of the applicant in disclosing the information when requested
* The degree of remorse, or otherwise, expressed by the applicant and their motivation to change
* Any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example, the influence of domestic or financial difficulties

The Company will only share disclosed information with those who legitimately need to see it as part of the recruitment process.

The Company will discuss any information revealed in a PVG Scheme/Basic Disclosure Certificate with the individual before considering withdrawing any conditional offer of employment. It must be noted that the Company is not permitted in law to discuss or disclose any information sent directly from a Police Force as part of the PVG Scheme/Disclosure Scotland certification process.

**Existing Employees**

All employees are contractually obliged to disclose all criminal convictions.

If it becomes appropriate to seek Disclosure information in relation to an existing employee and it is found that they have failed to disclose an unspent conviction, the Company will firstly establish whether the conviction is relevant to the post.

If information is found to be relevant and serious, the Company will consider a range of options, which might include the introduction of safeguards where this is reasonably practical and / or movement to another job or, potentially dismissal.

If notification is received from Disclosure Scotland regarding an existing employee being considered for listing by the Scottish Ministers to be barred from the ‘workforce’ to which their PVG relates; Children or Protected Adults, they will be immediately suspended from work pending further information. Being barred from regulated work could ultimately lead to dismissal.

**Responsibilities**

The **Head of Corporate Support Services** shall be responsible for ensuring the proper application of the policy terms. This shall include the provision of relevant training to those involved in recruitment and selection activities and to Lead and Counter-Signatories who are entitled to receive PVG Scheme Records and any other relevant criminal history information.

The **Lead Signatory and Counter-Signatories** who receive PVG Scheme Records and any other relevant criminal history information shall be responsible for ensuring the safe-keeping and proper use of that information, in accordance with the Disclosure Scotland Code of Practice and the Company's policy and procedure.

It is the responsibility of **individual applicants** to ensure a full and proper disclosure of information to inform the Company's decisions and assessment of the PVG Scheme Record/Basic Disclosure Scotland information. This includes the requirement for individuals to permit the relevant signatory to view Basic Disclosure Certificates sent directly from Disclosure Scotland to the individual. Where the post is covered by the terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 (as amended) individuals should note that failure to disclose relevant information may affect their employment or offer of employment with the Company.

It is the responsibility of **Facility Operations Managers and Duty Leisure Managers** to ensure that all employees who require a PVG Scheme Record prior to undertaking regulated work have such a record.

The Company will provide a copy of this policy and the Code to anyone who asks to see it.

<http://www.disclosurescotland.co.uk/publications/documents/codeofpracticeDocs/PoliceAct1997--CodeofPractice--18February2011.pdf>

Useful Organisations

Advisory, Conciliation and Arbitration Service

Head Office: Brandon House, 180 Borough High Street, London SE1 1LW

Tel: 020 7210 3613 Website: www.acas.org.uk

Chartered Institute of Personnel and Development

CIPD House, Camp Road, London SW19 4UX

Tel. No. 020 8971 9000 Website: www.cipd.co.uk

Disclosure Scotland

PO Box No 250

GLASGOW

G51 1YU

Telephone: 0870 609 6006

Website: www.disclosurescotland.co.uk

**References**

The company requires two satisfactory written references to be received prior to you being offered employment.

**JOB APPLICANT DATA POLICY**

This document sets out the Company’s policy on the protection of information relating to job applicants. Protecting the confidentiality and integrity of personal data is a critical responsibility that the Company takes seriously at all times. The Company will ensure that data is always processed in accordance with the provisions of relevant data protection legislation, including the General Data Protection Regulation (GDPR).

 **KEY DEFINITIONS**

**Data processing**

Data processing is any activity that involves the use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal data to third parties.

**Personal data**

Personal data is any information identifying a data subject (a living person to whom the data relates). It includes information relating to a data subject that can be identified (directly or indirectly) from that data alone or in combination with other identifiers the Company possesses or can reasonably access. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person’s actions or behaviour.

**Sensitive personal data**

Sensitive personal data is a special category of information which relates to a data subject’s racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data. It also includes personal data relating to criminal offences and convictions.

**PRIVACY NOTICE**

This policy, together with the information contained in the table of applicant data appended to the policy, constitutes a privacy notice setting out the information the Company holds about applicants, the purpose for which this data is held and the lawful basis on which it is held. The Company may process personal information without applicants’ knowledge or consent, in compliance with this policy, where this is required or permitted by law.

If the purpose for processing any piece of data about applicants should change, the company will update the table of applicant data with the new purpose and the lawful basis for processing the data and will notify applicants.

**FAIR PROCESSING OF DATA**

**Fair processing principles**

In processing applicants’ data the following principles will be adhered to. Personal data will be:

* Used lawfully, fairly and in a transparent way;
* Collected only for valid purposes that are clearly explained and not used in any way that is incompatible with those purposes;
* Relevant to specific purposes and limited only to those purposes;
* Accurate and kept up to date;
* Kept only as long as necessary for the specified purposes; and
* Kept securely.

**Lawful processing of personal data**

Personal information will only be processed when there is a lawful basis for doing so. Most commonly, the Company will use personal information in the following circumstances:

* when it is needed to perform applicants’ contracts of employment;
* when it is needed to comply with a legal obligation; or
* when it is necessary for the Company’s legitimate interests (or those of a third party) and applicants’ interests and fundamental rights do not override those interests.

The Company may also use personal information in the following situations, which are likely to be rare:

* when it is necessary to protect applicants’ interests (or someone else’s interests); or
* when it is necessary in the public interest [or for official purposes].

**Lawful processing of sensitive personal data**

The Company may process special categories of personal information in the following circumstances:

* In limited circumstances, with explicit written consent;
* in order to meet legal obligations;
* when it is needed in the public interest, such as for equal opportunities monitoring [or in relation to the Company’s occupational pension scheme]; or
* when it is needed to assess working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, the Company may process this type of information where it is needed in relation to legal claims or where it is needed to protect an applicant’s interests (or someone else’s interests) and the applicant is not capable of giving consent, or where an applicant has already made the information public. The Company may use particularly sensitive personal information in the following ways:

* information relating to leaves of absence, which may include sickness absence or family related leaves, may be used to comply with employment and other laws;
* information about applicants’ physical or mental health, or disability status, may be used to ensure health and safety in the workplace and to assess fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits;
* information about race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, may be used to ensure meaningful equal opportunity monitoring and reporting; and
* information about trade union membership may be used to pay trade union premiums, register the status of a protected applicant and to comply with employment law obligations.

**Lawful processing of information about criminal convictions**

The Company does not envisage that it will hold information about criminal convictions. If it becomes necessary to do so, the Company will only use this information where it has a legal basis for processing the information. This will usually be where such processing is necessary to carry out the Company’s obligations. Less commonly, the Company may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect an applicant’s interests (or someone else’s interests) and the applicant is not capable of giving consent, or where the applicant has already made the information public.

The Company will only collect information about criminal convictions if it is appropriate given the nature of the role and where it is legally able to do so.

**Consent to data processing**

The Company does not require consent from applicants to process most types of applicant data. In addition, the Company will not usually need consent to use special categories of personal information in order to carry out legal obligations or exercise specific rights in the field of employment law.

In limited circumstances, applicants may be asked for written consent to process sensitive data. In those circumstances, applicants will be provided with full details of the information that sought and the reason it is needed, so that applicants can carefully consider whether to consent.

Where applicants have provided consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw consent for that specific processing at any time. Once the Company has received notification of withdrawal of consent it will no longer process information for the purpose or purposes originally agreed to, unless it has another legitimate basis for doing so in law.

**Automated decision making**

The Company does not envisage that any decisions will be taken about applicants using automated means, however applicants will be notified if this position changes.

**COLLECTION AND RETENTION OF DATA**

**Collection of data**

The Company will collect personal information about applicants through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. The Company may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.

From time to time, the Company may collect additional personal information from an applicant. If the Company requires to obtain additional personal information this policy will be updated or applicants will receive a separate privacy notice setting out the purpose and lawful basis for processing the data.

**Retention of data**

The Company will only retain applicants’ personal information for as long as necessary to fulfil the purposes it was collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of personal information are set out in the table of applicant data appended to this policy.

When determining the appropriate retention period for personal data, the Company will consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which the personal data is processed, whether the Company can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances the Company may anonymise personal information so that it can no longer be associated with individual applicants, in which case the Company may use such information without further notice to applicants. After the data retention period has expired, the Company will securely destroy applicants’ personal information.

**DATA SECURITY AND SHARING**

**Data security**

The Company has put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Details of these measures are available upon request.

**Data sharing**

The Company may share personal information with third parties. The Company requires third parties to respect the security of applicant data and to treat it in accordance with the law. The Company may also need to share personal information with a regulator or to otherwise comply with the law.

**STAFF MEMBER RIGHTS AND OBLIGATIONS**

**Accuracy of data**

The Company will conduct regular reviews of the information held by it to ensure the relevancy of the information it holds. Applicants are under a duty to inform the Company of any changes to their current circumstances. Where an Applicant has concerns regarding the accuracy of personal data held by the Company, the Applicant should contact the Head of Corporate Support Services to request an amendment to the data.

**Applicant rights**

Under certain circumstances, applicants have the right to:

* **Request access** to personal information (commonly known as a “data subject access request”).
* **Request erasure** of personal information.
* **Object to processing** of personal information where the Company is relying on a legitimate interest (or those of a third party) to lawfully process it.
* **Request the restriction of processing** of personal information.
* **Request the transfer** of personal information to another party.

If an applicant wishes to make a request on any of the above grounds, they should contact the Head of Corporate Support Services in writing. Please note that, depending on the nature of the request, the Company may have good grounds for refusing to comply. If that is the case, the applicant will be given an explanation by the Company.

**Data subject access requests**

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

The Company may need to request specific information from the applicant to help confirm their identity and ensure the right to access the information (or to exercise any of the 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.

**COMPLIANCE WITH THIS POLICY**

**The Company’s responsibility for compliance**

The Company has a Data Protection Officer (DPO) who is tasked with overseeing compliance with this policy. If applicants have any questions about this policy or how the Company handles personal information, they should contact the DPO. Applicants have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

**Data security breaches**

The Company has put in place procedures to deal with any data security breach and will notify applicants and any applicable regulator of a suspected breach where legally required to do so. Details of these measures are available upon request.

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| **APPLICANT DATA** |
| **Type of personal data** | **Sensitive data?** | **Purpose of processing** | **Potential transfer to third parties** | **Lawful basis for processing**  | **Grounds for processing sensitive personal data** | **Retention period** |
| Contact details | No | Contacting applicants | Professional advisors | Legal obligation / Legitimate interests | N/A | 6 months post-application |
| Date of birth | No  | Equal opportunities monitoring  | Professional advisors | Legal obligation / Legitimate interests |  N/A | 6 months post-application |
| Gender |  Yes | Equal opportunities monitoring  |  Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Marital status |  Yes | Equal opportunities monitoring  | Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Information about race |  Yes | Equal opportunities monitoring  |  Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Information about ethnicity |  Yes | Equal opportunities monitoring  | Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Information about religious beliefs |  Yes | Equal opportunities monitoring  |  Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Information about sexual orientation |  Yes | Equal opportunities monitoring  |  Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Information about political affiliations |  Yes |  Equal opportunities monitoring  | Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Driving license | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Legitimate interests | N/A | 6 months post-application |
| CV | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Legitimate interests | N/A | 6 months post-application |
| Right to work documents | Yes  | Checking right to work in the UK  | Professional advisors  | Legal obligation / Legitimate interests | employment purposes / conduct of legal claims | 6 months post-application |
| Qualifications | No | Making recruitment decisions / ascertaining ability to work | Professional advisors | Legal obligation / Legitimate interests | N/A | 6 months post-application |
| Employment history | No | Making recruitment decisions / ascertaining ability to work | N/A | Legal obligation / Legitimate interests | N/A | 6 months post-application |
| Information about disability | Yes | Health and safety requirements / ascertaining fitness to work | Professional advisors | Legal obligation / Legitimate interests | employment purposes / statistics / conduct of legal claims | 6 months post-application |
| Professional memberships | No |  Education, training and development requirements | N/A  | Legal obligation / Legitimate interests |  N/A | 6 months post-application |
| Criminal convictions and offences | Yes | Making decisions about recruitment  |  Professional advisors | Legal obligation / Legitimate interests | employment purposes / conduct of legal claims  | 6 months post-application |