

Castle Donington Surgery

Job Applicant Privacy Notice

Data controller: Castle Donington Surgery

As part of any recruitment process, Castle Donington Surgery (hereafter referred to as 'the Practice') collects and processes personal data relating to job applicants and is committed to being transparent about how it collects and uses that data in line with data protection legislation.

What information does the practice collect?

The Practice collects a range of information about you. This includes:

- your name, address and contact details, including email address and telephone number(s);
- details of your qualifications, skills, experience and employment history;
- information about your current level of remuneration, including benefit entitlements;
- health information including whether or not you have a disability for which the Practice needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief;

The Practice collects this information in a variety of ways, such as:

- Application forms;
- CVs or resumes;
- Copies of your passport other identity documents;
- Information collected through interviews or other forms of assessment

The Practice will also collect personal data about you from third parties, such as:

- References supplied by former employers;
- Information from employment background check providers and information from criminal records checks;
- The Practice may seek information from third parties only once a job offer to you has been made and will inform you that it is doing so.

Data will be stored in a range of different places, including:

- Your personnel file;
- HR management systems;
- IT systems (including email).

Why does the Practice process personal data?

The Practice needs to process data to take steps at your request prior to entering into a contract with you. It also needs to process your data to enter into a contract with you.

The Practice needs to process data to ensure that it complies with its legal obligations such as being required to check a successful applicant's eligibility to work in the UK before employment starts.

The Practice 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 the Practice to:

- Manage the recruitment process;
- Assess and confirm a candidate's suitability for employment;
- Decide to whom to offer a job;
- Respond to and defend against legal claims.

Where the Practice relies on legitimate interests as a reason for processing data, it will consider whether or not those interests are overridden by the rights and freedoms of applicants, employees or workers.

The Practice will process health information if it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment. Where the Practice processes other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes.

The Practice is obliged to seek information about criminal convictions and offences in line with NHS Employers guidelines on criminal records checks, which you can read at:

<http://www.nhsemployers.org/your-workforce/recruit/employment-checks/criminal-record-check>.

Who has access to data?

Your information will be shared internally for the purposes of the recruitment exercise. This includes:

- Interviewers involved in the recruitment process
- Practice Managers and Board Members
- PCN Clinical Directors
- IT Providers (Smartcards)

The Practice will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The Practice will then share your data with former employers to obtain references for you, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

The Practice will not transfer your data outside the European Economic Area.

How does the Practice protect data?

The Practice takes the security of your data seriously. Internal policies and controls are in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does the Practice keep data?

If your application for employment is unsuccessful, the Practice will hold your data on file for no longer than six months after the end of the relevant recruitment process. At the end of that period your data is 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 will be provided to you in a new privacy notice.

Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require the Practice to change incorrect or incomplete data;
- require the Practice to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where the Practice is relying on its legitimate interests as the legal ground for processing; and
- ask the Practice to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override the Practice's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact Nicola Warren, Practice Manager.

If you believe that the Practice has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

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

Automated decision-making

The Practice does not use any form of automated decision making during the recruitment process

1) Data Controller contact details	Carl Cheadle 53 Borough Street Castle Donington Derby DE74 2LB
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2) Data Protection Officer contact details	Umar Sabat umar.sabat@ig-health.co.uk
3) Purpose of the processing	To ensure we carry out our duties as an employer and service provider.
4) Lawful basis for processing	<p>The lawful processing of the data detailed in this document is supported by the following Articles of the GDPR:</p> <p>Article 6(1)(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p>Article 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject;</p> <p>Article 6(1)(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person</p> <p>Article 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;</p> <p>Article 9(2)(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;</p> <p>Article 9(2)(h) 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 Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;</p> <p>Article 9(2)(i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;</p> <p>Article 9(2)(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with <u>Article 89(1)</u> based on Union or Member State law which</p>

	shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
5) Recipient or categories of recipients of the processed data	The data may be shared with Health and care professionals and support staff at the Practice, NHS England, Police Service and Government Departments.
6) Rights to object	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller at the Practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
7) Right to access and correct	You have the right to object to some or all the information being processed under Article 21. Please contact the Data Controller at the Practice. You should be aware that this is a right to raise an objection, that is not the same as having an absolute right to have your wishes granted in every circumstance
8) Retention period	The data will be retained in line with the law and national guidance. Records Management Code of Practice - NHS Transformation Directorate
9) Right to Complain.	You have the right to complain to the Information Commissioners Office (responsible for governing Data Protection compliance) – Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel 01625 545745 or www.ico.org.uk/