



SAINT JOHN OF GOD HOSPITALLER SERVICES

CANDIDATE PRIVACY NOTICE ("NOTICE")

SUMMARY OF THE NOTICE

- A. The Notice on the next page applies to all persons who apply to work for Saint John Of God Hospitaller Services as either an employee, worker (including agency worker) and volunteer.
- B. We are committed to ensuring that any personal data that we receive or collect about you, the candidate, as part of the recruitment process is used fairly and lawfully by us, is safeguarded by us, and is only processed by us in accordance with applicable data protection law.
- C. The purpose of the Notice is to ensure that we are transparent and upfront with you about what personal data we hold about you and what we do with that data as part of our recruitment process.
- D. The Notice on the following pages therefore covers the following questions:
 - 1. What is the purpose of this notice? (Page 2)
 - 2. Who is responsible for the personal information that we collect? (Page 2)
 - 3. What personal information do we hold about you? (Pages 2-3)
 - 4. How do we use the personal information of third parties? (Page 3)
 - 5. Where is your personal information collected from? (Pages 3-4)
 - 6. How will we use the personal information we collect about you and on what legal basis? (Page 4)
 - 7. What do we do with information about criminal convictions? (Pages 4-5)
 - 8. Will we share your personal information with third parties? (Page 5)
 - 9. How secure is the personal data that we collect about you? (Page 5)
 - 10. How long will we keep your personal information for? (Pages 5-6)
 - 11. What are your rights in relation to your personal information? (Pages 6-7)

12. When can we make changes to this notice and how will we inform you of those? (Page 7)

1. WHAT IS THE PURPOSE OF THIS NOTICE?

1.1 You are being sent a copy of this Notice because you are applying to work for us (whether as an employee, worker (including agency worker) or volunteer).

1.2 The purpose of this Notice is to therefore describe:

1.2.1 who is responsible for the personal information that we collect about you;

1.2.2 what personal information we collect;

1.2.3 how we will use such personal information;

1.2.4 who we may disclose it to; and

1.2.5 your rights and choices in relation to your personal information.

1.3 In this Notice references to:

1.3.1 **we, us or our** means **Saint John of God Hospitaller Services** (company number 05324279 and charity number 1108428) with its registered address at Suite 1-3 Yarn, Lingfield House, Lingfield Point, Darlington, Co Durham, DL1 1RW; and

1.3.2 **personal information** is information that is about you and which identifies you.

2. WHO IS RESPONSIBLE FOR THE PERSONAL INFORMATION THAT WE COLLECT?

2.1 We are the controller, for the purpose of data protection law (including the GDPR), in respect of your personal information that is collected and used as part of our recruitment process.

2.2 If you have any questions regarding this Notice or the way we use your personal information, please contact Data Protection Officer, Dr Jamie Mackrill on 01325 373700 or you can email us at DPO@sjog.org.uk, or at Suite 1-3 Yarn, Lingfield House, Lingfield Point, Darlington, Co Durham, DL1 1RW.

3. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

3.1 In connection with your application to work for us, we will collect, store and use various categories of personal information about you including:

3.1.1 personal contact details such as your name, title, telephone numbers, and postal and email addresses;

3.1.2 national insurance number;

3.1.3 information provided about you in a CV, cover letter and/or such other application form as we may require you to complete, which may include details of your:

(a) age;

(b) gender;

(c) nationality;

- (d) previous employment;
 - (e) qualifications;
 - (f) criminal convictions;
 - (g) health;
- 3.1.4 right to work information;
 - 3.1.5 DBS certificates and DBS risk assessments;
 - 3.1.6 any information that you provide to us during an interview or test.
- 3.2 We may also collect, store and use the following types of more sensitive personal information, namely information about your:
- 3.2.1 Race or ethnicity, religious beliefs, and sexual orientation.
 - (a) This will be used to ensure meaningful equal opportunity monitoring and reporting.
 - 3.2.2 Health, including any medical condition, disability, health and sickness records.
 - (a) This will be used to, for example, assess whether we need to provide appropriate adjustments during the recruitment process and going forward should you be successful with your application.
 - 3.2.3 Criminal convictions and offences.
 - (a) See section 7 below.
- 3.3 In addition when you visit our website or social media pages we may automatically collect the following personal information about you:
- 3.3.1 Technical information (including the Internet Protocol address (otherwise known as an "IP address") used to connect your computer to the internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform).
 - 3.3.2 About your visit (including the full Uniform Resource Locators (otherwise known as a "URL") clickstream to, through and from our site (including date and time), services and pages you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks and mouse-hovers), and methods used to browse away from the page and any phone number used to call us).

4. HOW DO WE USE THE PERSONAL INFORMATION OF THIRD PARTIES?

- 4.1 During the course of the recruitment process you may provide us with personal information relating to third parties (including your referees).
- 4.2 We will use the personal information of third parties that we receive in accordance with the term of this Notice. You therefore agree to make the information in this Notice available to the third parties.

4.3 By providing the personal information of third parties to us, you are confirming that you have the permission of those third parties to share their personal information with us and, in relation to your referees, for us to make contact with them for the purpose of progressing your application with us.

5. WHERE IS YOUR PERSONAL INFORMATION COLLECTED FROM?

5.1 We may collect personal information about you as part of the recruitment process from the following sources:

5.1.1 You, the candidate;

5.1.2 Your referees;

5.1.3 Recruitment agencies;

5.1.4 Background check providers (including the Disclosure and Barring Service);

5.1.5 Credit reference agencies; and

5.1.6 Publicly accessible sources.

6. HOW WILL WE USE THE PERSONAL INFORMATION WE COLLECT ABOUT YOU AND ON WHAT LEGAL BASIS?

6.1 We will use the personal information that we collect about you to:

6.1.1 assess your skills, qualifications, and suitability for the role/work that you have applied for;

6.1.2 carry out background and reference checks, where applicable;

6.1.3 communicate with you about the recruitment process;

6.1.4 keep records related to our hiring processes;

6.1.5 assist with any sale of our business or assets (or part thereof), or with any tender processes that we choose to participate in or which relate to services which we are ceasing to carry out, or some other similar event;

6.1.6 comply with legal or regulatory requirements.

6.2 It is in **our legitimate interests** to decide whether to appoint you to the role/work that you have applied for since it would be beneficial to our business to appoint someone to fulfil that role/work.

6.3 We also need to process your personal information to **decide whether to enter into a contract** of employment or services with you.

6.4 We will process some of the personal information that we collect in order to **comply with our legal obligations**.

6.5 It is in our **legitimate interests**, and in the **legitimate interests** of our service users, that we disclose personal data to those parties involved in a sale or tendering process, or involved in the transitioning of the Services, or some other similar event, to ensure the continuity and quality of our business and the services that we provide.

6.6 If you fail to provide information when requested and which we believe is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require references for the role/work that you have applied to do and you fail to provide us with relevant referee details (or your referees fail to provide the information requested of them), we will not be able to take your application further.

6.7 Please note that you will not be subject to decisions that will have a significant impact on you based solely on your automated decision-making.

7. WHAT DO WE DO WITH INFORMATION ABOUT CRIMINAL CONVICTIONS?

7.1 We envisage that we will process information about criminal convictions.

7.2 We will collect information about your criminal convictions history if we would like to offer you the work or role (conditional on checks and any other conditions, such as references, being satisfactory). We are in some circumstances required, and in others entitled, to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role

7.3 We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

7.4 If you require further details about this please contact Dr Jamie Mackrill using the contact details in section 2.2 above.

8. WILL WE SHARE YOUR PERSONAL INFORMATION WITH THIRD PARTIES?

8.1 We may need to share your personal information with certain third parties in order to assess your suitability for the role that you have applied for. Those third parties are listed at section 5 above. On occasion those third parties (usually referees) are based outside of the European Economic Area. Before transferring your personal information to those third parties we will ensure that the personal information transferred is kept to a minimum and we will require those third parties to respect the security of your personal information and to treat it in accordance with relevant data protection legislation.

8.2 If your application is successful we will need to share your personal information with a broader category of third parties when your employment/engagement with us commences. (Further information on this is available in our Staff Privacy Notice which is available to you upon request).

9. HOW SECURE IS THE PERSONAL DATA THAT WE COLLECT ABOUT YOU?

9.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, workers, volunteers and other third parties who have a business need-to-know. They will only process your personal information on our instructions and under a duty of confidentiality.

9.2 We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

10. HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION FOR?

10.1 If your application is not successful, and subject to section 10.3:

- 10.1.1 We will retain your personal information for a period of six months after we have communicated to you our decision not to appoint you.
 - 10.1.2 We will retain your personal information for the period noted above so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way.
 - 10.1.3 After the period noted above we will securely destroy your personal information..
 - 10.1.4 If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.
- 10.2 If your application is successful, and subject to section 10.3, your personal information will be stored for the duration of your employment or engagement with us and for a period of six years from the date that your employment or engagement ends. However, we will regularly review this to ensure that the information we hold is relevant and up-to-date during this time.
- 10.3 The above retention periods may be extended in the event that legal proceedings are brought regarding your employment or engagement with us. In those circumstances we may need to retain some relevant personal information for as long as is necessary for the purposes of such litigation.

11. WHAT ARE YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION?

- 11.1 You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights.

Summary of your rights	
Right of access to your personal information	You have the right to receive a copy of your personal information that we hold about you. Any access request is free of charge. We may require further information in order to respond to your request (for instance, evidence of your identity and information to enable us to locate the specific personal information you require).
Right to rectify your personal information	You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete.
Right to erasure of your personal information	You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which it was collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to the use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.

Summary of your rights	
Right to restrict the use of your personal information	You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection.
Right to data portability	You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. Please note, however, that this right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.
Right to object to the use of your personal information	You have the right to object to the use of your personal information in certain circumstances. For example (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party); and (ii) if you object to the use of your personal information for direct marketing purposes.
Right to withdraw consent	You have the right to withdraw your consent at any time where we rely on consent to use your personal information.
Right to complain to the relevant data protection authority	You have the right to complain to the relevant data protection authority, which is in the case of us, the Information Commissioner's Office, where you think we have not used your personal information in accordance with data protection law. You can contact the ICO by visiting their website at www.ico.org.uk or by calling 0303 123 1113.

11.2 If you wish to exercise any of the rights in the table above, please contact our Data Protection Officer using the contact details in section 2.2 above.

12. WHEN CAN WE MAKE CHANGES TO THIS NOTICE AND HOW WILL WE INFORM YOU OF THOSE?

12.1 We may update this Notice at any time.

12.2 Any changes we make to this Notice in the future will be notified to you in writing.

12.3 The updated Notice will take effect as soon as it has been updated or otherwise communicated to you.

END

Updated July 2019