

Job Applicant Privacy Notice (Full)

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VERSION	3
RELATED DOCUMENTS	Job Applicant Privacy Notice (single page summary) Data retention policy

Zoe's Place Baby Hospice is the operating name of Zoe's Place Trust, registered charity no 1092545. The names Zoe's Place Baby Hospice / Zoe's Place Trust / the Trust are used interchangeably within this notice.

1. Purpose of this Privacy Notice

Zoe's Place Trust is a 'data controller'. This means that we are responsible for deciding how we hold and use personal information (or personal data) about you. You are being sent a copy of this Job Applicant Privacy Notice because you are applying for work with us (whether as an employee, worker or contractor).

It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

2. Data protection principles

We will comply with data protection law and principles, which say that your data will be:

- Used lawfully, fairly, and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

3. Information we collect about you

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

- title, name, address, telephone number, personal email address, date of birth, NI number, nationality, work status.
- employment history, qualifications, professional memberships (nursing staff).
- opinions about your performance in previous work roles and your suitability for the role being applied for; previous disciplinary actions.
- whether you are related to, or have a relationship with, a Zoe's Place employee, director, or Trustee.
- any information you provide to us during an interview.

We may also collect, store and use the following 'special categories' of more sensitive personal data:

- Gender, race, ethnic background, religious beliefs, sexual orientation and political opinion
- Information about your disability status, health, medical conditions, sickness records
- Information about criminal convictions and offences

4. How we collect your personal data

We collect personal data about candidates from the following sources:

- Directly from you, the candidate, through the application and recruitment process via an application form and/or curriculum vitae and covering letter, and Equal Opportunities Monitoring Form.
- Recruitment agency.
- Disclosure and Barring Service (DBS) or other background check provider.
- Your named referees.
- Professional memberships, for example the Nursing and Midwifery Council (NMC).

What happens if you fail to provide your personal data?

If you fail to provide information when requested which is necessary for us to consider your application, we will not be able to process your application successfully. For example, if we require references or evidence of qualifications for this role and you fail to provide us with the relevant details, we will not be able to take your application further.

5. How we use your personal data

We will use the personal data we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background or reference checks where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements.

It is in our legitimate interests to process your data when we decide whether to appoint you to the role for which you are applying, since it would be beneficial to our Organisation to appoint a suitable person to the role.

We also need to process your personal information to decide whether to enter into a contract of employment with you, and to enter into contract of employment with you.

5.1 How we use particularly sensitive information

We will use your particularly sensitive information (special category data) in the following ways:

- We will use information about your health, medical conditions or disabilities to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during an interview. We will also use this information to comply with any legal obligation.
- We will use sensitive information collected through our Equal Opportunities Monitoring Form (or like data obtained from elsewhere) to ensure meaningful equal opportunity monitoring and reporting.

5.2 Information about criminal convictions

We envisage that we will process information about criminal convictions. We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory).

We are 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. In particular:

- We are legally required to carry out criminal record checks for people carrying out clinical roles.
- Certain roles are listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023)] and so are eligible for a Standard or Enhanced check from the Disclosure and Barring Service.

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

We may also use your personal data, sensitive data and information about any criminal convictions to meet any legal obligations and as part of any grievance, discipline or legal process.

6. Automated decision-making

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

7. Data sharing

We will only share your personal information with the following third parties for the purposes of processing your application:

- The Disclosure and Barring Service (DBS)
- Your referees
- Professional bodies such as the Nursing and Midwifery Council
- HR and professional advisers

All our third party providers are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

8. Data security

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

Details of these security measures may be obtained from our Data Protection Officer (see below). We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. Data retention – how long we keep your personal data

If you are not appointed to the role, we will retain your personal data for 9 months from the date that the successful candidate is appointed, in accordance with our Data Retention Policy. We will do this for the following reasons:

- To assist us in investigating any grievance that might arise from the appointment of the successful candidate (including ACAS early conciliation), to show that we have conducted the recruitment exercise in a fair and transparent way, and to defend any legal or other claim that might arise.
- After the retention period has passed, we will securely destroy your personal information in accordance with our Data Retention policy.
- In the case of candidates who are invited for interview, we may seek your consent to retain your application for a fixed period in the event that we may wish to consider you for a further opportunity which may arise in future.

10. Rights of access, correction, erasure, and restriction

Under certain circumstances, by law you have the rights to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below).

- **Object to processing** of your personal data 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 also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data – for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to you or to a third party.

10.1 Exercising your data privacy rights

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact our Data Protection Officer in writing – see below.

11. Data Protection Officer

We have appointed a Data Protection Officer (DPO) to oversee compliance with this Job Applicant Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal data, or if you want to exercise any of your data privacy rights, please contact our DPO:

Email: **dpo@zoes-place.org.uk**

Post: **Data Protection Officer, Zoe's Place Baby Hospice, Upper Ground Floor
15 Dormer Place, Leamington Spa CV32 5AA**

Telephone: **01926 889633**

We will always try to resolve any concerns you might have about your personal data. If we are not able to resolve your concerns you can complain to the Information Commissioner's Office (ICO) which is the supervisory authority for data protection issues in the UK (www.ico.org.uk).