



PRIVACY NOTICE TO JOB APPLICANTS- COLLECTING AND RETAINING PERSONAL INFORMATION

Introduction

Loretto Care are committed to maintaining the accuracy, confidentiality and security of your personal information. As part of any recruitment process, we collect and process personal data relating to job applicants. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

This Privacy Notice describes how data is managed for the purposes of recruitment, specifically managing the data received by us from job applicants as potential new employees. Loretto Care will be the "data controller" of the personal information that you or others provide to us about you, during the job application process.

If you are successful in your job application this notice will not form part of your contract of employment or engagement with us. It applies to all our current and past recruitment exercises. If any amendments are required in the future, we will notify you as is appropriate.

The Wheatley Group Data Protection Officer is Randal Brown who can be contacted on wheatleydataprotectionofficer@wheatley-group.com.

What we need

The following lists the data about you we will collect, store and use:

- Your name, national insurance number, marital status, nationality and contact details, including your home address, telephone numbers and email addresses. Your contact details will be used to identify you and communicate with you as necessary;
- Information in relation to your employment history and current levels of remuneration including your qualifications. Training certification and licences (such as a driving licence) may also be required in order to validate that you are appropriately qualified to undertake the activities of the post applied for and to ensure calculation of allowances or statutory payments for which you are entitled;
- If you are successful in your application, personal banking details are required in order to process all payments due to you in respect of your employment with us;

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

- Criminal conviction or other background information such as the Protection of Vulnerable Groups scheme (PVG) and disclosure checks.

- Information in respect of your health will be gathered via a pre-employment health check by our Occupational Health Provider. This information is required for those positions where we have identified it is necessary via our risk assessment process;
- Personal characteristic information such as your race or ethnicity, religious beliefs or sexual orientation and other equalities related information;
- Whether or not you have a disability; and
- Information about your entitlement to work in the UK including but not restricted to your Passport, Residence Permit or Birth Certificate along with proof of National Insurance Number.

How we obtain information about you

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

We may collect information from third parties as part of the recruitment process. This may include but is not limited to recruitment agencies and websites such as Indeed.com and Myjobscotland, references supplied by former employers or recruitment agencies, information from employment background check providers and/or information from criminal records checks. 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.

Your personal data will be securely stored on your application record, in HR management systems and on other IT systems (including email).

Children's information

We would not normally require to process information relating to your children, under the age of 16, in the course of application. If we do require to process information relating to your children then we will issue you with a separate privacy notice.

Why we need your personal information - Contractual Purposes and Legal Obligation

We collect and use the above personal data to take steps to potentially enter into a contract with you.

We are also under a legal obligation to process certain personal information relating to our staff for the purposes of complying with our legal obligations under UK employment law. For example; to check a successful applicant's eligibility to work in the UK before employment starts.

We are also under a legal obligation to process certain personal information relating to Care staff for the purposes of complying with the requirements of our regulators i.e the Care Inspectorate or the Scottish Social Services Council.

Why we need your personal information – legitimate purposes

We also process your personal information in pursuit of our legitimate interests to:

- Undertake research and statistical analysis to help improve our business processes and the services offered to our customers and staff, as well as to evaluate our performance against other benchmarks. Where possible, statistical information is anonymised or pseudonymised;
- Any regulatory checks and/or statutory check/requirements in relation to your engagement with us.

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us on InformationRequests@wheatley-group.com. If we agree and comply with your objection, this may affect our ability to undertake the tasks above for your benefit.

Why we need your personal information – equality monitoring requirements

We are required to use your personal information relating to your health, racial or ethnic origin or sexual orientation for equality monitoring purposes as required by government departments and agencies, the Scottish Housing Regulator and auditors, with other organisations and agencies where we are legally allowed to do so.

We will process such personal information to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within our organisation.

Why we need your personal information – health information

Where necessary, we may obtain information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations – to consider how your health affects your ability to do the job you are applying for and whether any adjustments to the role might be appropriate.

Why we need your personal information – criminal conviction information

Where necessary, we will collect information about your criminal convictions history if it is appropriate given the nature of your role you wish to apply for and where we are legally able to do so. We will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us, or by a third party such as Disclosure Scotland or the Police. This information will be used in order to ascertain your suitability, or on-going suitability, for employment with us, or where we are required by law to carry out such checks.

What if you do not provide personal data?

You are under no statutory or contractual obligation to provide data to us 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. This means we may not be able to employ you.

You are under no obligation to provide information for equal opportunities monitoring purposes and there are no consequences for your application if you choose not to provide such information.

Who we share your personal information with

We may transfer information about you to other Wheatley Group companies for purposes connected with the recruitment process or the management of the company's business.

We may disclose to and share personal information about you with third parties for the purposes set out in this notice, or for purposes approved by you, including the following:

- With our occupational health provider for recruitment purposes. In the event that we change occupational health provider, these medical records will transfer directly to the new provider and will not pass to us.
- With our insurance provider for the purposes of insurance policies held by the us in respect of employers liability insurance, indemnification of employees and other insurance purposes as necessary; and
- With our professional and legal advisors for the purposes of taking advice.

Our contractors are required to comply with the law and our own Data Processing Agreement or Data Processing Clauses within our contracts to ensure data is managed appropriately and for specified purposes.

We may need to share personal information with local authorities, government departments and agencies, with our regulators and auditors, with utility companies or with other organisations and agencies where we are legally allowed to do so.

We may be required to share personal information with Statutory or Regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Care Inspectorate, Local Authorities, Health and Social Care Partnerships Homelessness services, Health services or care and support organisations that we work with, local authorities, government departments and agencies, with our regulator and auditors, with utility companies or with other organisations and agencies. We will only share information on the basis of your consent or in accordance with UK data protection legislation.

If at any time before, during or subsequent to application for employment you exercise your rights to enter into a dispute via the courts system, including employment tribunal, we may be required to share information in relation to your employment relationship with the courts or legal representatives as required.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

Automated decision making

Recruitment processes are not based solely on automated decision making.

How we will communicate with you

We will require to communicate with you as part of the recruitment process. This will usually be by email, in writing or by telephone. We are moving many of our services on-line as this is usually more convenient for you and more efficient for us.

How we protect your personal information

We take the security of your data seriously. Your personal information is stored on our paper and IT filing systems which may be copied for testing, backup, archiving and disaster recovery purposes. All data is held within the UK.

If any of your personal information is transferred out with the European Union or the European Economic Area by any of our contractors we will ensure that there are adequate safeguards in place to protect your personal information in accordance with the General Data Protection Regulations and applicable UK Data Protection Legislation.

How long we keep your personal information

If your application for employment is unsuccessful, we will hold your data on file for six months after the end of the relevant recruitment process.

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.

We have a data retention policy that sets out the periods for retaining and reviewing all information that we hold. This sets out different retention periods for all information we hold about your tenancy. You can request a copy by contacting us at InformationRequests@wheatley-group.com

We review our data retention periods regularly and will only hold your personal information for as long as is necessary for the relevant activity or as required by law (we may be legally required to hold some types of information) or as set out in your employment contract with us.

Your rights

You can exercise any of the following rights by writing to us at InformationRequests@wheatley-group.com

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of your personal information is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to request that we restrict the processing of your personal information for specific purposes; and
- if you wish us to delete your personal information, you may request that we do so.

Any requests received by Wheatley Group will be considered under applicable UK Data Protection Legislation. You have a right to raise a complaint at any time with the Information Commissioner's Office at www.ico.org.uk

The accuracy of our information is important to us - please help us keep our records updated by informing us of any changes to your personal details.

Changes to our Privacy Notice

Our Privacy Notice is regularly kept up to date and this version was updated on 12 September 2018.