



**Mark Street Surgery**  
**2 Mark Street**  
**Rochdale**  
**Lancs**  
**OL12 9BE**

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## **JOB APPLICANT PRIVACY NOTICE**

As part of any recruitment process, 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
- details of your qualifications, skills, experience and employment history
- information about your current level of remuneration, including benefit entitlements
- 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
- 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
- Information collected through interviews or other forms of assessment
- Identity documents, such as passport

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:

- Recruitment files
- Your application record
- 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>.

### **What lawful basis do we rely on?**

<b>Activity requiring your data</b>	<b>Lawful basis</b>
Carrying out checks in relation to your right to work in the UK	Legal obligation

Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions in relation to both initial and subsequent employment e.g. promotion	Our legitimate interests
Making decisions about salary and other benefits	Our legitimate interests
Making decisions about contractual benefits to provide to you	Our legitimate interests
Assessing training needs	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

### **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
- Managers in the area with a vacancy
- Partners

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?**

We will only keep your data for as long as we need it for:

If your application for employment is unsuccessful, and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, the practice will hold your data on file for six months after the end of the relevant recruitment process. At the end of that period or once you withdraw your consent where this applies, your data is deleted or destroyed.

If your application for employment is unsuccessful, and we have sought your consent to keep your data on file for future job vacancies, and you have provided consent, we will keep your data for nine months once the recruitment exercise ends. At the end of that period or once you withdraw your consent where this applies, your data is deleted or destroyed.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time.

**If the application has been made via another organisation, such as NHS Jobs or Indeed, please be aware of their terms and conditions or acceptable use policies.**

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 according to the practice Employee Privacy Notice. The periods for which your data would be held would 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
- request the practice 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:

Mrs Lisa Parton, Mark Street Surgery, 2 Mark Street, Rochdale, OL12 9BE. [lisa.parton1@nhs.net](mailto:lisa.parton1@nhs.net)

### **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

Appointed compliance officers: Dr A Parton (Caldicott Guardian) and Mrs L Parton (Information Governance Lead), Mark Street Surgery, Rochdale, OL12 9BE

Data Protection Officer (Heywood, Middleton and Rochdale Borough-wide): [dpo.rochdale@nhs.net](mailto:dpo.rochdale@nhs.net)

If you believe that the practice has not complied with your data protection rights, you can raise a complaint to the Information Commissioner (ICO):

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.  
[www.ico.gov.uk](http://www.ico.gov.uk)