



## Shaw healthcare - Applicant Privacy Notice

**Data controller:** Les Urquhart, Director of HR email Les.Urquhart@shaw.co.uk

As part of any recruitment process, Shaw healthcare collects and processes 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.

### **What information does Shaw healthcare collect?**

We will collect 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 we may need to make reasonable adjustments during the recruitment process,
- whether or not any health condition you may have enables you to carry out the intrinsic duties of the position for which you apply, and
- information about your entitlement to work in the UK.

We may 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.

We may 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. Criminal records checks (at the level required by Regulations for roles which involve working with children or vulnerable adults. Most care staff require an enhanced DBS/PVG check due to the nature of their work.) Employment references for care roles are subject to Regulations about our checks on employment history, particularly previous work in care services). We will 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 on your application record, in HR management systems and on other IT systems (including email).

### **Why does Shaw healthcare process personal data?**

We need to process data to take steps at your request prior to entering into a contract with you. We may also need to process your data to enter into a contract with you.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are legally obliged to check a successful applicant's eligibility to work in the UK before employment starts.

We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows Shaw healthcare to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.

Shaw healthcare may process special categories of data, such as information about ethnic origin, sexual orientation or religion or belief, to monitor recruitment statistics. We may also collect information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. We process such information to carry out our obligations and exercise specific rights in relation to employment.

Shaw healthcare will not use your data for any purpose other than the recruitment exercise for which you have applied. Anyone who is "barred" from working with vulnerable people but has attempted to apply for work with vulnerable people may be referred to the relevant organisation.

### **Who has access to data?**

Your information may be shared internally for the purposes of the recruitment process. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers and service administrators in the business area for which you may be considered and IT staff if access to the data is necessary for the performance of their roles.

Shaw healthcare will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation 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/PVG Scotland to obtain necessary criminal records checks.

Shaw healthcare uses an Applicant Tracking System provided by a 3<sup>rd</sup> party. Where we engage third parties to process personal data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We will not transfer your data outside the European Economic Area.

### **How does the organisation protect data?**

We take the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our approved employees in the proper performance of their duties.

### **For how long does the organisation keep data?**

If your application for employment is unsuccessful, the organisation will hold your data on file for a minimum of 6 months and a maximum of 12 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 is shown in our Privacy Notice on our website.

### **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 us to change incorrect or incomplete data
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing, and
- object to the processing of your data where we are relying on our legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the HR Administration Team by email at [HR.Department@shaw.co.uk](mailto:HR.Department@shaw.co.uk) or by phoning 02920 365079.

If you believe that Shaw healthcare 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 organisation during the recruitment process. However, if you do not provide the information, the organisation may not be able to process your application properly or at all.

#### **Automated decision-making**

Recruitment processes are not based solely on automated decision-making.

#### **Guidance**

If you wish further guidance on this Privacy Notice, email [HR.Department@shaw.co.uk](mailto:HR.Department@shaw.co.uk) or phone 02920 365079.