

# OHP EMPLOYEE PRIVACY NOTICE

## Data protection officer:

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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.

## What information do we collect?

We 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 need to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health, and religion or belief

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

We 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.

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 do we process personal data?

We need to process data to take steps at your request prior to entering into a contract with you. We 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 required 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 us 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.

We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.

Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health, religion or belief, age, gender or marital status, this is done for the purposes of equal opportunities monitoring with the explicit consent of job applicants, which can be withdrawn at any time.

We are obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary for us to carry out our obligations and exercise specific rights in relation to employment.

If your application is unsuccessful, we will keep your personal data on file in case there are future employment opportunities for which you may be suited. We will ask for your consent before we keep your data for this purpose and you are free to withdraw your consent at any time.

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

Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the Practice staff who carry out HR activities, the central People team and interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.

In order to meet our duties, we are required to obtain references from your former employers as part of the interview process. We will not share your data with third parties for this purpose without your consent.

The organisation will share data with third parties with employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

We will not transfer your data to countries outside the European Economic Area or any company that is not included in the EU-US Privacy Shield.

### **How do we protect data?**

We take security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. For more information, please refer to the Practice Data Protection Policy.

Where we engage third parties to process personal data on our behalf, we 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.

### **How long we keep your personal information**

If your application for employment is unsuccessful, we will hold your data on file for up to **6 months** after the end of the relevant recruitment process. At the end of that period or once you withdraw your consent, 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 for the duration of your employment. At the end of your employment your data will not be kept longer than necessary for the purpose for which it is processed. For example, personal information of employees including terms and conditions of employment, disciplinary records, reviews and annual leave records will be kept for 7 years after employment ends. The organisation will keep hold of employees PAYE, Payroll records for 7 years after employment ends given the relevance to any pay disputes and as HMRC may request to see them in this time. Occupational Health records will be kept in a suitable form for a minimum of 40 years after the date of last entry. Further information about retention schedules can be obtained from the Organisation.

### **Your rights**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

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

- Ask for access to your personal information. This is called a 'subject access request.'

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- Ask for rectification of the information we hold about you
  - Ask for the erasure of information about you
  - Ask for our processing of your personal information to be restricted
  - Data portability
  - Object to us processing your information.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you want to use your rights, please contact: **Practice Manager NAME**

If at any time you are not happy with how we are processing your personal information, then you may raise the issue with the Data Protection Officer. If you are not happy with the outcome, you may raise a complaint with the Information Commissioner's Office: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

### **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.

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.

### **Automated decision-making**

Employment decisions are not based solely on automated decision-making.

We will regularly review this Privacy Notice to ensure it remains accurate and up to date.