



## Privacy Notice (Employees)

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Where the policy is filed (as a 'read only' document):	Available electronically on CH shared drive: <a href="S:\Organisation\Policies &amp; SOPs">S:\Organisation\Policies &amp; SOPs</a> They can also be found on Select HR, under HR Policies & System User Guides
Main Headings:	<ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. About us</li> <li>3. Our commitment to you</li> <li>4. Scope</li> <li>5. Who collects the information</li> <li>6. Data protection principles</li> <li>7. About the information we collect and hold</li> <li>8. How we collect the information</li> <li>9. CCTV systems</li> <li>10. Why we collect the information and how we use it</li> <li>11. Lawful basis</li> <li>12. How we share the information</li> <li>13. Sensitive personal information and criminal records information</li> <li>14. Where information may be held</li> <li>15. How long we keep your information</li> <li>16. Your privacy rights</li> <li>17. Access to personal information</li> <li>18. Keeping personal information secure</li> <li>19. What if you do not provide personal data</li> <li>20. How to complain</li> </ol>

Signed   
Chief Executive Officer

Date: 18/6/20

## INTRODUCTION

### **About us**

Claire House Children's Hospice (CHCH) is a charity that is very much part of the community we serve. We take our Data Protection responsibilities very seriously, with regard to the personal data that is shared with us. We promise to keep this safe and secure and use it for the purposes for which it was collected and not do anything that wouldn't be reasonably expected or is not allowed under legislation.

For Data protection requirements \* the data controller is Claire House Children's Hospice, Clatterbridge Road, Bebington, Wirral, CH63 4JD. This is also our registered office.

Our registered charity number is 1004058.

Our ICO Data Controller registration number is: Z5857396

### **1. OUR COMMITMENT TO YOU**

We are committed to protecting and respecting your privacy, and we take your privacy very seriously.

This notice (together with any other documents referred to in it) sets out the basis on how any personal data we collect from you, or that you provide to us, or that we obtain about you will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

This privacy notice explains the following:

- o What information Claire House may collect about you
- o How we will use any information we have collected from you
- o When Claire House may use your information to contact you
- o Whether Claire House will disclose your information to anyone else
- o Your choices regarding the personal information you have provided to us

We are committed to safeguarding your personal information. Whenever you provide information such as this, we are legally obliged to use your information in line with all laws concerning the protection and security of personal information, including the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and the Privacy & Electronic Communications (EC Directive) Regulations 2003. Objective

The objective of this notice is to give a clear explanation of what personal information we collect and how we collect, use and protect personal information when you apply for a role with us.

### **2. SCOPE**

This notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during your recruitment process and after it ends. We are required to notify you of this information under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

### **3. WHO COLLECTS THE INFORMATION**

Claire House Children's Hospice ('CHCH') is a 'data controller' and collects and processes personal data relating to recruitment applications to manage the recruitment process. We are committed to being transparent about how we collect and use that data and to meeting our data protection obligations.

### **4. DATA PROTECTION PRINCIPLES**

We will comply with the data protection principles when gathering and using personal information, as set out in this policy.

### **5. ABOUT THE INFORMATION WE COLLECT AND HOLD**

Our purpose for processing personal information is to assess your suitability for a role you have applied for and to help us develop and improve our recruitment process.

We may collect the following information up to and including the shortlisting stage of the recruitment process:

Your name and contact details (i.e. address, home and mobile phone numbers, email address);

Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests;

Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs;

Information regarding your criminal record;

Details of your referees.

We may collect the following information after the shortlisting stage, and before making a final decision to recruit:

Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers;

Information regarding your academic and professional qualifications;

Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs);

Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;

A copy of your driving licence

We may also ask you to complete a questionnaire about your health to establish your fitness to work.

You are required (by law or in order to enter into your contract of employment) to provide the categories of information above to enable us to verify your right to work and suitability for the position.

### **6. HOW WE COLLECT THE INFORMATION**

We may collect this information from you, your referees (details of whom you will have provided), your education provider, the relevant professional body, the Disclosure and Barring Service (DBS), the Home Office.

## **7. CCTV SYSTEMS**

CHCH operates a Closed-Circuit Television (CCTV) surveillance system ("the system") throughout the CHCH premises and in some shops, with images being monitored and recorded. The system is owned, operated and managed by CHCH. It is used for maintaining public safety, the security of property and premises and for the detection, prevention and investigating of crime. Where appropriate, in exceptional cases, it may also be used to monitor staff when carrying out work duties. Disclosure of recorded material will only be made to third parties in accordance with the purposes of the system and in compliance with Data Protection legislation.

We do not collect more information than we need to fulfil our stated purposes and will not retain it for longer than is necessary.

Data will be stored in a range of different places, for example in our secure management systems and in other IT systems (including the email system).

Access to view recorded images is restricted to key individuals.

## **8. WHY WE COLLECT THE INFORMATION AND HOW WE USE IT**

We'll use all the information you provide during the recruitment process to progress your application with a view to offering you an employment contract with us, or to fulfil legal or regulatory requirements if necessary.

We will not share any of the information you provide with any third parties for marketing purposes.

We'll use the contact details you give us to contact you to progress your application. We may also contact you to request your feedback about our recruitment process. We'll use the other information you provide to assess your suitability for the role.

In some cases, CHCH needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.

CHCH 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 CHCH to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. CHCH may also need to process data from job applicants to respond to and defend against legal claims.

CHCH may process information about whether or not applicants are disabled to make reasonable adjustments for candidates who have a disability. This is to carry out its obligations and exercise specific rights in relation to employment.

Where CHCH 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.

CHCH is obliged to seek information about criminal convictions and offences. Where CHCH seeks this information, it does so because it is necessary for it to carry out its obligations and exercise specific rights in relation to employment.

CHCH will not use your data for any purpose other than the recruitment exercise for which you have applied.

## **9. LAWFUL BASIS**

The lawful basis we rely on for processing your personal data is article 6(1)(b) of the GDPR, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract.

If you provide us with any information about reasonable adjustments you require under the Equality Act 2010 the lawful basis we rely on for processing this information is article 6(1)(c) to comply with our legal obligations under the Act.

The lawful basis we rely on to process any information you provide as part of your application which is special category data, such as health, religious or ethnicity information is article 9(2)(b) of the GDPR, which relates to our obligations in employment and the safeguarding of your fundamental rights. And Schedule 1 part 1(1) of the DPA2018 which again relates to processing for employment purposes.

We process information about applicant criminal convictions and offences. The lawful basis we rely to process this data are Article 6(1)(e) for the performance of our public task. In addition, we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a).

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

## **10. HOW WE MAY SHARE THE INFORMATION**

We may also need to share some of the above categories of personal information with other parties, such as professional advisers. Usually, information will be anonymised, but this may not always be possible. The recipient of the information will be bound by confidentiality obligations. We may also be required to share some personal information with our regulators or as required to comply with the law.

## **11. SENSITIVE PERSONAL INFORMATION AND CRIMINAL RECORDS INFORMATION**

Further details on how we handle sensitive personal information and information relating to criminal convictions and offences are set out in our Data Protection Policy, available from the HR department.

## **12. WHERE INFORMATION MAY BE HELD**

Information may be held in electronic or paper systems at our offices, third party agencies, service providers, representatives and agents as described above. We have security measures in place to seek to ensure that there is appropriate security for information we hold including those measures detailed in our data protection policy.

## **13. HOW LONG WE KEEP YOUR INFORMATION**

We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information will depend on whether your application is successful, and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. This is normally for 6 months after our last contact with you if your application is not successful. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment. For further information, see our data protection privacy notice (employment).

Further details on our approach to information retention and destruction are available in our data protection policy.

#### **14. YOUR PRIVACY RIGHTS**

As a data subject, you have several rights. You have the right:

- o to be informed about the collection and use of your personal data
- o to access your personal data and supplementary information on request
- o to have inaccurate personal data rectified, or completed if it is incomplete
- o to have personal data erased i.e. the right to be forgotten
- o to request the restriction or suppression of your personal data
- o to obtain the personal data you have provided to us and is stored electronically
- o to object to the processing of your data where we are relying on our legitimate interests as the legal ground for processing.

#### **16. ACCESS TO PERSONAL INFORMATION**

We try to be as open as we can be in allowing people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request' under the General Data Protection Regulations. If we do hold information about you, we will:

- o give you a description of it unless this obvious;
- o tell you why we are holding it;
- o tell you who it could be disclosed to if appropriate; and
- o let you have a copy of the information in an intelligible form
- o inform you of the right to complain to the Information Commissioners Office.

To make a request to CHCH for any personal information we may hold about you, please contact a member of the HR team who will provide you with further information via telephone on 0151 343 0883.

#### **17. KEEPING YOUR PERSONAL INFORMATION SECURE**

Your information may be shared internally, including with members of the HR team (including payroll), managers involved in the recruitment process and IT staff if access to the data is necessary for performance of their roles.

CHCH does not transfer your data to countries outside the European Economic Area.

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your

personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

#### **18. WHAT IF YOU DO NOT PROVIDE PERSONAL DATA**

You are under no statutory or contractual obligation to provide data to CHCH during the recruitment process. However, if you do not provide the information, CHCH may not be able to process your application properly or at all.

#### **19. HOW TO COMPLAIN**

We hope that our HR Department can resolve any query or concern you raise about our use of your information.

If you are still not satisfied you may contact the Information Commissioner at [ico.org.uk/concerns/](http://ico.org.uk/concerns/) or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.

\* Data Protection Requirements means the Data Protection Act 2018, the General Data Protection Regulations, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011 and all other applicable laws and regulations relating to processing of personal data and privacy in any applicable jurisdiction as amended and replaced, including where applicable the guidance and codes of practice issued by the UK Information Commissioner or such other relevant data protection authority.