

## **Fair Processing Notice for Candidates and Applicants**

The Ulster Independent Clinic (“the Clinic”) collects and processes personal data relating to applicants and candidates. You are being given this Privacy Notice because you are applying for a post with us (whether as an employee, worker or contractor) or you are applying for practising privileges. The Clinic is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations. We acknowledge and agree that any personal data of yours that we handle will be processed in accordance with all applicable data protection laws.

The Clinic is a “Data Controller”. This means that we are responsible for deciding how we hold and use personal data about you.

### **What information do we collect?**

Personal data means any information relating to a living individual, from which that individual can be identified. The Clinic processes a range of information about you. This includes personal data such as:

- your name, address and contact details, including email address and telephone number;
- details of your education, qualifications, skills, professional membership, experience and employment history;
- any other work related information you provide, for example, education or training certificates

We also process special category / sensitive data such as:

- whether or not you have a disability for which the Clinic needs to make reasonable adjustments during the recruitment process;
- equal opportunity monitoring information to carry out our obligations under legislative requirements;
- information about your health including occupational health assessment as required;
- to undertake relevant security and criminal record checks ;
- and, information about your entitlement to work in the UK.

The Clinic may collect this information in a variety of ways. For example, data might be contained in application forms, 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. 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.

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 and MS Office).

### **Legal grounds for processing data**

**We rely on one or more of the following legal grounds when we process your personal data:**

- **Necessary for the performance of a contract** - We need to process data to take steps, at your request, to enter into a contract with you.

- **Legitimate interest** - The Clinic has a legitimate interest in processing personal data during the recruitment 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.
- **Legal obligation** – we need to comply with a legal obligation e.g. the obligation not to discriminate during our recruitment process, or the obligation not to employ someone who does not have the legal right to work in the UK.

Since special category data is usually more sensitive, we need to have an additional legal ground (as well as the legal grounds set out above) to collect, hold and use it. These additional grounds will usually be:

- **Exercising a legal right in relation to employment** e.g. processing information in relation to your health to determine whether any adjustments needs to be made to the recruitment process.
- It is necessary for reasons of **substantial public interest e.g.** for the purposes of equal opportunities monitoring

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

Your information may be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process and managers in the business area with a vacancy.

We may share information relevant to any request by you for adjustments to the recruitment process as a result of an underlying health condition or disability with medical / occupational health professionals to enable us to identify what, if any adjustments are needed to the recruitment process and, if you are successful, once you start work. We may also share details of disclosed medical conditions and/or answers to pre-employment health questionnaires with medical / occupational health professionals to enable us to assess your fitness for the job and whether any adjustments are needed once you start work.

We may share your personal data, where relevant with legal and professional advisers, in order to obtain legal or other professional advice about matters related to you or in the course of dealing with disputes with you or other applicants.

We may also share your data with former employers to obtain references for you;; ACCESSNI to undertake relevant security and criminal record checks; and the Home Office to verify your entitlement to work in the UK.

#### **How does The Clinic 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 employees in the proper performance of their duties.

#### **References**

If you give us details of referees, we require you to inform them what personal data of theirs you are giving to us. You must also give them our contact details and let them know that they should contact us if they have any queries about how we use their personal data.

**For how long does The Clinic keep data?**

If your application for employment is unsuccessful, the Clinic will hold your data on file for six months after the end of the relevant recruitment process. Where successful at selection stage, but the vacancy has been filled and if you agree to allow us to keep your personal data on file, we will hold your data on file for a further six months for consideration for future employment opportunities. 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 Human Resources file (electronic and paper based) and retained during your employment. A new privacy notice will then apply to the periods for which your data will be held.

**Criminal Record Checks**

You are referred to the Clinic's Criminal Records Information Policy for detailed information about processing of personal data relating to criminal records.

**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 Clinic to change incorrect or incomplete data;
- require the Clinic 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 the Clinic is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights or have queries about the content of this notice or your personal data, please contact The Data Protection Officer at the Clinic.

If you believe that the Clinic 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 Clinic Ltd 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.