**Eothen Homes Limited**

**Privacy Notice**

For Job Applicants

1. **Business Details**

This is the privacy notice of Eothen Homes Limited **(Data Controller)** for job applicants.

Registered Office Address is 15 Berrymoor Court, Northumberland Business Park, Cramlington, NE23 7RZ.

Eothen Homes is registered with the Care Quality Commission (CQC). The services provided are residential care, and residential care for those with dementia.

Eothen Homes is registered with the Data Protection Notification Department; the registration reference number is Z8629077.

The services managed by Eothen Homes include three residential care homes in the North East of England. Eothen is also Landlord for nine bungalows in the South East of England.

Eothen Homes can be contacted by telephone 0191 2819100 or email - enquiries@eothenhomes.org.uk

The Person Responsible for Data Protectionis Christina Nichol (Care, Quality and Compliance Officer). Telephone 0191 2390043, email – christina.nichol@eothenhomes.org.uk

1. **Aim of this Notice**

Eothen Homes is required by law to tell people about their rights and our obligations regarding the collecting and processing of any personal information which we may be provided with. We have a range of procedures to ensure that any personal information supplied to us is given with active consent and will always be held securely and treated confidentially in line with our procedures. Such procedures are listed later in section 10 and can be made available for anyone to view, at any time.

1. **Principles of the General Data Protection Regulations (GDPR)**

All data obtained and held by us must be processed according to a set of core principles which are set out in the GDPR. In accordance with these principles we will ensure that:

1. Processing is fair, lawful and transparent.
2. Data is collected for specific, explicit and legitimate purposes.
3. Data collected is adequate, relevant and limited to what is necessary for the purposes of processing.
4. Data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay.
5. Data is not kept for longer than is necessary for its given purpose.
6. Data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisational measures.
7. We comply with the relevant GDPR procedures for international transferring of personal data.
8. **Types of Data held**

We keep several categories of personal data on our prospective employees in order to carry out effective and efficient processes. We keep this data in recruitment files at Head Office and hold the data on our computer system. There is a paper and electronic copy of the current vacancies and the applicants.

We hold the following types of data –

* Personal details such as name, address, email address and phone numbers.
* Gender, marital status, information relating to any disability that you may have or other medical information.
* Right to work documentation.
* Information on your race and religion for equality monitoring purposes.
* Information gathered via the recruitment process such as that entered into a CV, a CV cover letter or within the application form.
* Information gathered from third parties such as references from former employers, or those that have been identified as character referees.
* Details of your education and employment history, including an explanation of any gaps in your employment etc.
* Details of skills, experience and remuneration.
* Driving licence
1. **How we collect your data**

You provide us with several pieces of information directly during the recruitment process when completing an application form and applying for a post.

If you are successful in your job application and reach the interview stage, we will gather further information from you. In some cases, we will collect data about you from third parties, such as former employers, character referees and the disclosure and barring service. We do this to gather references and carry out the necessary employment checks. We will also discuss with you your skills and previous experiences and document this.

If you are successful at the interview stage and an offer of employment is made then we will gather further information from you, such as your bank details so that your wages can be paid and the contact details of your next of kin to be used in an emergency situation.

1. **Lawful basis for processing**

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| **Activity requiring your data** | **Lawful basis** |
| 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, for example 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  |
| Preventing fraud | Our legitimate interests  |
| Assessing training needs | Our legitimate interests  |
| Dealing with legal claims made against us | Our legitimate interests  |
| Carrying out checks using criminal conviction data | Legal requirement |

1. **Special categories of data**

Special categories of data relating to health, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, genetic and biometric data are processed for the purposes of equal opportunities monitoring, within our sickness absence procedure and to determine reasonable adjustments. Most commonly we will only process it if you have given explicit consent, already made it public yourself, we need to process it to carry out our legal obligations or for reasons of substantial public interest.

1. **Failure to provide data**

If you fail to provide us with data, this will mean that we are unable to fulfil our requirements for entering into a contract with you. This includes being unable to offer you employment and unable to administer contractual benefits.

1. **With whom might we share your personal data?**

All of the employees within the company who have responsibility for recruitment will have access to your data which is relevant to their function. All employees with such responsibilities have had training in GDPR. Data is shared with third parties. We only share the personal information of our employees with their consent and on a need to know basis, the only exception to this general rule would be if we were required by law to provide information. Data is shared with third parties for the following reasons –

* For administration of payroll / employee benefits / pensions.
* For administration of IT services.
* When seeking medical or occupational health reports.
* Employment legal advice from the company’s allocated legal advisor.
* Other third party contractors who provide services to us.
* Under legal obligation such as to prevent fraud or other criminal offences or because of a Court order. We may then be obliged to share information with HMRC or the Police or both.
* Your data may also be shared with third parties as part of a company sale or restructure, or for other reasons to comply with any legal obligation upon us. We check that any third parties have implemented their own appropriate technical and organisational measures to ensure they are compliant with GDPR.
1. **How we keep your data safe and how long we keep it for**

Eothen takes the security of your personal data seriously. There are a range of procedures that enable us to comply with our data protection requirements and reduce the risk of data being lost, accidentally destroyed, misused or disclosed and is not accessed except by its employees in the performance of their duties.

The main procedures are as follows –

* + Data Protection Procedure QP 05.01
	+ Subject Access Requests for information held by us and the Sharing of

Information QP 05.04

* Computer Usage, Email, Internet and Social Networking QP 05.05
	+ Complaints QP 02.11
	+ Recruitment QP 03.02
	+ Data Retention QP 05.03

If your application is not successful, then we will only keep your data for a period of six months.

If your application is successful and an offer of employment is made then we will keep your data, all the details will be explained in a new privacy notice, there is a separate, specific privacy notice for employees which will be provided to you.

1. **Your rights**

You have the following rights in relation to the personal data we hold about you –

* To be informed about the data we hold on you and what we do with it (Privacy Notice)
* Access to the data we hold on you (See QP05.04)
* Any inaccuracies in the data to be rectified.
* To have data erased.
* To restrict processing of the data.
* Of portability. To transfer the data to another party.
* Object to the inclusion of ay information.
* Regulate any automated decision making.
* To withdraw your consent to us processing your data at any time without consequence. owHowever, in some cases we may continue to use the data if we have a legitimate reason to do so.

If you want to exercise any of these rights, please contact HR.

1. **Making a complaint**

If you think that your data rights have been breached, you can in the first instance make a complaint to the person responsible for data protection,Christina Nichol (Care, Quality and Compliance Officer) , who can be contacted by telephone on 0191 2390043 or via email – christina.nichol@eothenhomes.org.uk

Or you can contact the Information Commissioners Office (ICO) by telephone on 0303 1231113 or 01625 545745 or by writing to ICO, Whycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

1. **How we keep our procedures up to date**

Employees that control and process personal information within the company have a duty to assess all privacy risks continuously and the review the procedures and privacy notices at least annually.

This privacy notice is issued to all job applicants and is available on request from any of the homes and head office. There is a separate privacy notice for employees and a separate privacy notice for residents and third parties.