

## 2023 Recruitment Privacy Notice

### Context

This notice sets out how Norfolk & Norwich University Hospitals NHS Foundation Trust (the “Trust”) will use your personal data, and your rights in relation to its recruitment processes.

This notice supplements the Trust’s full Employee Privacy Notice which is available on the Trust intranet as [Trust Docs ID: 16898](#) and the Trust public facing website.

Name of Data Controller	Norfolk & Norwich University Hospital, Colney Lane, Colney, Norwich NR4 7UY
Name of controller contact/DPO	Vimmi Lutchmeah-Beeharry Head of Information Governance - Data Protection Officer Email: <a href="mailto:info.gov@nnuh.nhs.uk">info.gov@nnuh.nhs.uk</a>

### Purpose

The purposes for which we shall be processing your personal data are to:

- Conduct and decide about the recruitment process and its outcomes e.g., interview invitation, interview assessment and selection, provision of job offers and to make reasonable adjustments to the recruitment process for candidates who have a disability.
- Check and validate your right to work in the UK and immigration status in accordance with the law.
- Check and validate your professional registration and situation if applicable to the person/ post.
- Obtain your references, log the references, consider and decide about the references received.
- Check for any criminal records through standard and/or Enhanced DBS dependent upon your role.
- Onboard you on Electronic Staff Record and Health Roster if we offer you a position and you accept our offer.
- Assess your fitness to work, make any reasonable adjustments which you may need and support your Health and Wellbeing.
- Maintain the Health and Safety of all staff, where relevant, liaise with training providers and colleges.
- Implement our processes for issuing staff ID badges, smartcards, car parking, salary and taxation purposes.
- IT account management purposes.
- Undertake any other evolving organisational activities we are required to satisfy as a public NHS body.

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- Record and respond to any request which you make for your own personal data, or any other request under Data Protection Legislation.

### Legal basis of processing

The legal basis for processing your personal data is because it is necessary for:

- Potential contractual purposes with you – UK GDPR Article 6(1)(b).
- The Trust to comply with legal obligations placed on it as an NHS body – UK GDPR Article 6(1)(c).
- The performance of tasks carried out in the public interest or in the exercise of official authority vested in us as an NHS body - UK GDPR Article 6(1)(e).

Special category data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

The legal basis for processing special category data about you or data relating to criminal convictions is because it is necessary for:

- Employment, social security and social protection (as authorised by law) – UK GDPR Article 9(2)(b) and UK Data Protection Act - Schedule 1, ch.1, Pt.1, 1.
- Reasons of substantial public interest – UK GDPR Article 9(2)(g).
- Health or social care (with a basis in law) and public health (with a basis in law) -UK GDPR Article 9(2)(h).

### The data we shall collect

We shall collect and use your personal information **directly from you** e.g., through information contained in your application forms, CVs or resumes, obtained from your passport or other identity documents, such as your Biometric Card, Third Country passports, or collected through interviews, or other forms of assessment, including online tests.

We shall also collect and use personal information about you **indirectly** from third parties and external sources, such as references supplied by former employers, information from employment background check providers and information from criminal records checks and from other sources.

We shall process the following personal and special category data:

- Name – surname, first and middle names.
- Address and post/zip code.
- Date of birth.
- Telephone numbers – home, work and mobile.
- Email address.

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- National insurance number and other taxation/ social security related information.
- Immigration and citizenship status, including EU Settlement Scheme Status, visa / passport related information and any relevant restrictions.
- Whether you are an NHS professional returning to practice.
- Education & professional qualifications.
- Relevant training courses attended.
- Membership of professional Bodies.
- Employment history – current and previous employers, relevant dates and description of your duties and responsibilities, Grade and Salary, reason for leaving (if applicable), employment gaps, etc.
- References about you, referee contact details and supporting information.
- Preferred employment type.
- Equal opportunities monitoring information required by law i.e., sex, marital status, sexual orientation, colour, nationality, ethnic or national origin, disability.
- Safeguarding information relating to unspent convictions and/or unspent conditional cautions.
- Health related information.

### Recipients

The recipients of your personal data shall where necessary include:

- the Recruiting line manager, Interview Assessors and our Trust Recruitment Team through Trac, MS Teams and our Email System.
- The NHS Shared Business Service and ESR for pay purposes
- The Government Sponsorship Management System through websites such as <https://www.gov.uk/check-immigration-status> and <https://www.gov.uk/view-right-to-work>)
- Professional bodies, e.g., the NMC, HPS, GMC, GDC etc through their websites.
- The NHS Litigation Authority via the Health Professionals Alert Notice (HPAN) through <http://nww.fhsau.nhs.uk/login.aspx>.
- Your named referees and / or their organisations by email, fax or telephone.
- The Disclosure and Barring Service (DBS), if your role requires a DBS check.
- Training providers and support organisations such as, Training Information System (TIS), the HEE Deanery System and Oriol 2
- The Trust's Health and Wellbeing Team.
- The Trust's Health Roster/ Health Roster Bank Staff Team.
- The Trust's Travel office.

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- The Trust's Teams working on Health & Safety and COVID 19 issues
- Other Trust Teams such as the HR Department, Finance Department, the Digital Health Department, Health Records Library, etc.
- Our data processors who provide our recruitment systems, payroll systems and the Email system.
- Any other organisation we consider has a lawful, fair and proportionate basis to the information.

### Retention

If your application for employment is unsuccessful, the Trust will hold your personal data on file for 400 days from the date of your application. This information is retained so we can revisit vacancies and applications in case the vacancy needs re-advertising or to enable us to respond to any candidate queries.

If your application for employment is successful, your personal information 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 will be provided to you in our full staff privacy notice, which is available on our intranet. Only information relevant to the employment of successful candidates will be retained within staff employment records. If you withdraw at offer stage, you will not receive any further information and your details may still be retained for 400 days securely outside of the e-recruitment system.

### Data Security and Protection

The Trust takes the security of personal information seriously. Its security controls are designed and applied according to the 10 National data Guardian Standards set out in the NHS Data Security and Protection Toolkit. It has internal policies and controls in place to ensure information is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by our employees in conducting their duties.

### Your Rights

As part of the recruitment process and as a data subject under the Data Protection Act (2018), you have a number of potential rights which you can exercise. Please note some of these rights are not absolute and are dependent on the decision of the Trust as a data controller.

You may exercise your rights by contacting our Data Protection Officer whose contact details are provided on page 1.

### Automated decision-making

Our recruitment processes are not based on automated decision-making without human intervention.

You have the right to:

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- Request information about how your personal data is processed, and to request a copy of your personal data.
- Request any inaccuracies in your personal data are rectified without delay.
- Request any incomplete personal data are completed, including by means of a supplementary statement.
- In certain circumstances (for example, where accuracy is contested) to request the processing of your personal data is restricted.
- Object to the processing of your personal data where it is processed for direct marketing purposes.

### International transfers

As your personal data is stored on our Information Technology infrastructure, and shared with our Data Processors and other parties, it may be transferred and stored securely outside the UK. Where this is the case, it will be subject to equivalent legal protection through the use of Model Contract Clauses.

### Complaints

If you consider your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 0303 123 1113  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

### Updates

We shall amend this privacy notice from time to time, so please review it frequently. The date in this document will be amended each time this notice is updated.