

## **Candidate Privacy Notice**

**Data Controller: Midland Heart Ltd., 20 Bath Row, Birmingham, B15 1LZ.**

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.

Midland Heart Ltd makes records from our contact with you, including personal information that is subject to the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act (DPA 18). We also collect information about you from third parties.

We will always protect the privacy of any personal information we hold about you.

This Privacy Notice describes the categories of personal data we process and the reasons why we do this. We are committed to collecting and using data in accordance with the UK GDPR and DPA 18.

If you wish to know more about our approach to Data Protection, please read this Privacy Notice:

- We take your privacy seriously and you can find out more here about your privacy rights and how we collect, use, share and secure your personal data. This includes the personal data we already hold and the further personal data we might collect in the future, either from you or from a third party.
- We obtain your personal data to conduct our normal business operations as a registered social housing and care provider. How we use your personal identifiable information depends on the products and services we provide to you.
- Midland Heart's Data Protection Officer (DPO) provides help and guidance to make sure we correctly apply the law to the processing and protection of your personal data. If you have any questions about how we use your personal data, our DPO can be reached by email at [dataprotection@midlandheart.org.uk](mailto:dataprotection@midlandheart.org.uk) or by post to The Data Protection team, Midland Heart, 20 Bath Row, Birmingham, B15 1LZ.
- This Privacy Notice updates any previous information about how we use your personal data. We may change this Notice from time to time in accordance with the changes at the Midland Heart Ltd or to reflect changes to regulation or legislation. Please check this page regularly to ensure that you're happy with any changes.

Please contact the Data Protection Officer via the details above if you would like to see a previous version.

## **What information does Midland Heart collect?**

We collect and processes 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.
- Online computer identification (IP address) and username – information recorded when you engage with us by email or via our social media channels; 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
- Diversity 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, including online tests.

We will also collect personal data about you from third parties, such as references supplied by former employers (information from employment background-checking providers and information from criminal records checks). 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 is stored in a range of different places, including: your personnel file, in the organisation's HR management systems and in IT systems (including our email system).

## **Why does Midland Heart 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 it needs to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out its 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 or religion or belief, this is for diversity monitoring purposes.

For some roles, 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. However, 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 HR and Resourcing Team, Hiring Managers 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.

We will not share your data with third parties, unless your application for employment is successful and we make you an offer of employment. We will then share your data with former employers to obtain references for you, employment background-checking providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.

Your data may be transferred outside the European Economic Area (EEA) to obtain employment references if your former employers are based outside the EEA.

### **How does Midland Heart protect data?**

We take the 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 in line with the IT Security Policy, IT Policy, Data Protection Policy and Data Protection Procedure.

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

Transfers outside the UK and EU

We transfer applicant names and telephone numbers to a sub-processor in the US via a Midland Heart data processor based in the UK. Our UK data processor is legally responsible for the safe transfer and agreement with their US based sub-processor. Midland Heart has ensured that our UK data processor has safeguards in place with their US sub-processor.

We have a sharing agreement in place with our UK data processor.

### **For how long does Midland Heart keep data?**

#### ***Candidate Profiles***

Your Candidate Profile will be retained in our Applicant Tracking System for a minimum of 365 days after creation. Candidate Profiles that have existed in our Applicant Tracking System for more than 365 days and have no applications will be archived for 90 days, after which it will be irretrievably deleted.

#### ***Applications***

Applications that you make to individual roles (via your candidate profile) will be retained in our Applicant Tracking System for a minimum of 365 days after creation. If your application is unsuccessful and was created more than 365 days ago, will be archived for 90 days, after which it will be irretrievably deleted.

If your application for employment is successful, personal data 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 a new privacy notice.

### **Your rights**

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your personal data on request.
- Ask us to change incorrect or incomplete personal data.
- Ask us to delete or stop processing your personal data, for example where the data is no longer necessary for the purposes of processing.
- Object to the processing of your personal data where we rely on its legitimate interests as the legal ground for processing; and
- Ask that we stop processing your personal data for a period if your personal; data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing that data.

If you would like to exercise any of these rights, please contact [dataprotection@midlandheart.org.uk](mailto:dataprotection@midlandheart.org.uk).

You have a right to complain to the Information Commissioner's Office (ICO) about the way in which we process your personal data. You can make a complaint on the ICO's website: <https://ico.org.uk/>

### **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.

### **Automated decision-making**

Employment decisions are not based solely on automated decision-making. Nevertheless, some of our recruitment processes are based on automated decision-making for example, if you do not have the right to work in the UK, your application will not be progressed, and the system will send you an automated response.

This policy was last updated in January 2025.

