

APPLICANT PRIVACY NOTICE ("NOTICE")

SUMMARY OF THE NOTICE

- A. This Notice applies to all candidates who apply for a role at any of the organisations under the Concern Group Umbrella (the **Group**). This includes but is not limited to employees, bank workers, affiliates and volunteers. The Group comprises Mental Health Concern (co. number 02073465), Insight Healthcare Ltd (co. number 04391008) and any other organisation admitted to the Group from time to time.
- B. This Notice explains how we process your personal data and your rights, in line with our organisational values, including being open and fair, and as required by the General Data Protection Regulations.

WHAT THIS NOTICE COVERS

1.1 This Notice applies to you as an applicant and explains:

- 1.1.1 **who** is responsible for the personal information that we collect about you;
- 1.1.2 **what** personal information we collect;
- 1.1.3 **how** we use your personal information;
- 1.1.4 who we may **disclose** it to; and
- 1.1.5 **your rights and choices** in relation to your personal information.

1.2 In this Notice references to:

- 1.2.1 **we, us or our** means Concern Group which comprises Mental Health Concern (co. number 02073465), Insight Healthcare (co. number 04391008), and any other organisation admitted to the Group from time to time, each of which are data controllers; and
- 1.2.2 **personal information** which is information that is about you, and which identifies you.

2. WHAT PERSONAL INFORMATION DO WE HOLD ABOUT YOU?

2.1 When you apply for a role with us we will collect, use, store and otherwise process personal information about you, including:

- 2.1.1 Application record (including job titles, job role description, location of employment or workplace, work history, start and end dates of employment, working hours and working schedule, performance/training/development records, and performance information);
- 2.1.2 personal contact details (including your name, title, telephone numbers, email and postal address)

- 2.1.3 equal opportunities monitoring information (including gender, date of birth, marital status);
- 2.1.4 Correspondence in relation to your application (including email correspondence about the role and notes from telephone conversations requesting further information)

If you are invited to interview we may also collect and process

- 2.1.5 CCTV footage from outside some of buildings to ensure client and employee safety and other information obtained through electronic means;
- 2.1.6 Assessment Information (including interview and test scores)

If you are successful we may also collect and process;

- 2.1.7 information about the proposed terms and conditions of your engagement with us including your offer of employment and any communications regarding it, driving license, vehicle insurance, references, criminal records check, right to work checks and evidence of required qualifications/membership of the relevant professional bodies.
 - 2.1.8 health information (including reports from our occupational health provider on your fitness for work);
 - 2.1.9 payroll and benefits information (including your national insurance number, bank account details, payroll records and tax status information, salary, pension and benefits information);
- 2.2 We may receive personal information about you from third party sources including but not limited to:
- 2.2.1 financial information may be obtained from your previous employer;
 - 2.2.2 recruitment information may be obtained from, for example, your referees and the criminal record checks we carry out;
 - 2.2.3 health/medical information may be obtained from your GP or occupational health physicians as a result of your Occupational Health Check.
- 2.3 We collect this information in a variety of ways. For example, through your application, from your passport or other identify documents, from correspondence with you and through interviews, and other assessments.

3. HOW DO WE USE THIRD PARTY PERSONAL INFORMATION?

- 3.1 Where you provide us with personal information relating to third parties (e.g. a referee, we will use the information in accordance with this Notice. If you share such personal information with us, you must have (and we will assume that you have) the permission of the third party to share that with us.

4. HOW DO WE USE YOUR PERSONAL INFORMATION?

4.1 Your personal information may be used by us, members of our staff and our service providers, and disclosed to third parties for, but not limited to, the following purposes.

Purpose	Legal Basis
Checking you are legally entitled to work in the UK, where relevant.	<ul style="list-style-type: none"> This processing is necessary for us to comply with our legal obligations.
Making a decision about your appointment and determining the terms on which you are engaged by us.	<ul style="list-style-type: none"> This processing is necessary in order to perform a contractual obligation between you and us. . This processing is necessary for our legitimate business interests i.e. in engaging the workforce we need to deliver our services to our beneficiaries.
Verifying qualifications for a particular job.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests. We have a legitimate interest in ensuring that decisions about work allocation are taken on merit and in ensuring that those engaged by us have the skills and qualifications necessary to deliver their roles.
Making decisions about salary and other benefits.	<ul style="list-style-type: none"> This processing is necessary for our legitimate business interests. We have a legitimate interest in ensuring those engaged by us are rewarded and reimbursed appropriately for their work.
Assessing your fitness to be engaged by us.	<ul style="list-style-type: none"> Depending on the circumstances, we process your personal information to carry out our legal obligations, because such use of your personal information is necessary for you to exercise your employment law rights (such as to statutory sick pay), or with your explicit consent.
To communicate with you about your potential engagement with us.	<ul style="list-style-type: none"> The legal basis will fall into one of the following categories, depending on the communication and the purpose for which it is sent: <ul style="list-style-type: none"> our legitimate business interests i.e. to help us manage our relationship with you; and/or the establishment of a contract between you and us.

Purpose	Legal Basis
To prevent fraud.	<ul style="list-style-type: none"> • This processing is necessary for our legitimate business interests. • We have a legitimate interest in ensuring high levels of probity in those engaged by us.
Dealing with legal disputes involving you.	<ul style="list-style-type: none"> • This processing is necessary for us to comply with our legal obligations.
Complying with our legal or regulatory obligations (including in connection with a court order and our safeguarding obligations).	<ul style="list-style-type: none"> • This processing is necessary for us to comply with our legal obligations.

5. HOW DO WE USE CRIMINAL RECORDS INFORMATION?

- 5.1 We are in some circumstances required, and in others entitled, to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role that you are employed by us to do.
- 5.2 We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such information.
- 5.3 If you require further details about the criminal record checks that we carry out please contact the People Services Team.

6. WHO MAY WE SHARE YOUR PERSONAL INFORMATION WITH?

- 6.1 You agree that we may share your personal information with:
- 6.1.1 All current and future organisations within the Concern Group.
- 6.1.2 Our business partners, suppliers and sub-contractors for the performance of any contract we enter into with you. For example, we engage third parties to provide recruitment check provision. (For example, Occupational Health checks)
- 6.1.3 Other professional advisers (including accountants, lawyers and training providers) that assist us in carrying out our business activities. (For example course providers for those applying for trainee or apprenticeship roles)
- 6.1.4 Our partners, from time to time, which may include Blue Stone Consortium, Northern Inclusion Consortium, Fulfilling Lives Newcastle and Gateshead, Ways to Wellness and various NHS bodies.
- 6.1.5 External agencies and organisations (including the Police National Crime Agency) for the purpose of preventing and detecting, money laundering and criminal activity.
- 6.1.6 Third parties if we are under a duty to disclose or share your personal information in order to comply with any legal obligation or instructions of a regulatory body (including in connection with a court order), or in order to enforce or apply the terms

of any agreements we have with or otherwise concerning you (including agreements between you and us) or to protect our rights, property or safety of our beneficiaries, employees, workers, volunteers or other third parties. For the purpose of this relevant regulatory bodies include but are not limited to the Charity Commission, Companies House, the Care Quality Commission, the Information Commissioner's Office (the **ICO**), professional bodies, for example RCN and the Fundraising Regulator.

6.2 We may also disclose your personal information to other third parties, for example:

6.2.1 If we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply the agreements concerning you (including agreements between you and us).

7. WHERE WILL WE TRANSFER YOUR PERSONAL INFORMATION?

7.1 We do not currently envisage that we will need to transfer your personal information outside of the European Economic Area. However, should we do so we will implement appropriate and suitable safeguards to ensure that such personal information will be protected as required by applicable data protection law.

8. HOW SECURE IS THE PERSONAL DATA THAT WE COLLECT ABOUT YOU?

8.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed inappropriately.

8.2 We limit access to your personal information to those persons and organisations who have a business need-to-know and who we believe will only process your personal information on our instructions and confidentially.

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

9. HOW LONG WILL WE RETAIN YOUR PERSONAL INFORMATION?

9.1 We will store your personal information for the duration of your application with us and for a period of up to eight months from the date your application is made.

9.2 In the future, if we intend to process your personal data for any other purpose other than that for which it was originally collected for, and/or as explained above, we will first contact you to explain the reasons for this.

9.3 The above retention periods may be extended in the event that legal or regulatory proceedings are brought regarding your applicant for a role with us, in which case we may need to retain some relevant personal information for as long as is necessary for the purposes of such proceedings.

10. WHAT ARE YOUR DATA PROTECTION RIGHTS?

10.1 The rights that you have under data protection law are summarised in the table below (but may only apply in certain circumstances and may be subject to certain exemptions).

Your Rights	Summary of your rights
Right to complain to the ICO	You may complain to the ICO where you believe that we have not used your personal information in accordance with data protection law. You can contact the ICO by visiting their website at www.ico.org.uk or by calling 0303 123 1113. It may help to quote the relevant data protection registration numbers when doing so: Mental Health Concern (Z4639161) and/or Insight Healthcare Ltd (Z7824778).
Right of access	You may request a copy of the personal information that we hold about you free of charge (subject to certain exemptions).
Right to object	You have the right to object to the use of your personal information in certain circumstances. For example where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party).
Right to withdraw consent	You have the right to withdraw your consent at any time where we rely on consent to use your personal information.
Right to rectify	You may ask us to correct the personal information that we hold about you where it is incorrect or incomplete.
Right to erasure	You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which it was collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely on for the continued use of your personal information; (iii) if you object to our use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.
Right to data portability	You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. Please note, however, that this right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.
Right to restrict the use	You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate, and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal

Your Rights	Summary of your rights
	information and we are verifying whether our grounds for the use of your personal information override your objection.

11. WHO CAN YOU CONTACT WITH ANY QUESTIONS?

11.1 If you have any questions about this Notice, or wish to exercise any of your rights noted in Section 10 above, please contact Alma O'Rourke, Head of Quality and Governance at the Concern Group, Buttress House, 36 Brenkley Way, Seaton Burn, Tyne and Wear, NE13 6DS or on 0300 123 4502.

This Privacy Policy was adopted in May 2019