

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

**Data protection officer: Jana Zacheva - [jana.zacheva@midlandheart.org](mailto:jana.zacheva@midlandheart.org) .uk**

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.

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

We collect 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;
- 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 check 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 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).

### **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. We will ask for your consent before we keep your data for this purpose and 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 check 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 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 and in line with our IT Security Policy, IT Policy, Data Protection Policy and Data Protection Procedure.

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

If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process. If you agree to allow us to keep your personal data on file, we will hold your data on file for a further 6 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 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 data on request;
- require we to change incorrect or incomplete data;
- require we to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where we is relying on its legitimate interests as the legal ground for processing; and
- ask we to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override we's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact [jana.zacheva@midlandheart.org.uk](mailto:jana.zacheva@midlandheart.org.uk). You can make a **subject access request** by requesting a form from [dataprotection@midlandheart.org.uk](mailto:dataprotection@midlandheart.org.uk). If you believe that we 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 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**

Some of our recruitment processes are based solely 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.