



Gofal Bro Cyf.
Gwasanaeth Gofal Cartref – Home Care Service
Y Deri, Hen Furlau, Pwllheli Road,
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PRIVACY NOTICE FOR APPLICANTS

As a registered domiciliary care agency, we are required by law to collect and keep certain personal information, or “data”, about our staff, including prospective members of staff. The information we collect allows us to decide whether the person is suitable to work with vulnerable adults.

We must also comply with the United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. These laws require us to have safeguards in place for the personal information we collect and set out where, and how, this information is to be kept and how this information is to be destroyed when no longer required.

A) DATA PROTECTION PRINCIPLES

Under the UKGDPR all the data we collect and keep must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- 1) data 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; and
- 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.

B) TYPES OF DATA HELD

We collect and keep several types of personal data about prospective employees either as paper or electronic records as part of our recruitment procedures. This includes the following.

- 1) personal details such as name, address, phone number and email address;
- 2) where appropriate, documentation about a person’s right to work in the UK;
- 3) personal references and references from previous employers;

- 4) information about a person's education and employment history; and
- 5) information about any convictions, cautions, reprimands or final warnings that are not "protected", as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013), including those that may be "spent".

C) LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process data for certain reasons only. The table below lists the types of data processing we undertake and the lawful basis we rely on.

Activity requiring data	Lawful basis
Carrying out checks in relation to a person's right to work in the UK	Legal obligation
Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions	Legal obligation and our legitimate interests
Making decisions about salary and other benefits	Our legitimate interests
Making decisions about contractual issues	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

D) CRIMINAL CONVICTION DATA

Working with vulnerable adults is a post that is exempt from the provisions of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). We therefore require all applicants to provide details of any convictions, cautions, reprimands or final warnings that are not "protected", as defined by the above Act, including those that may be "spent", on the application form. A failure to reveal this information could lead to the withdrawal of an offer of employment.

We are required to obtain a Disclosure and Barring Scheme certificate for every suitable applicant. Consequently, all suitable applicants will have to provide us with the required documentation to confirm their identity.

Gofal Bro actively promotes equality of opportunity for all our applicants with the right mix of skills, experience and personal qualities irrespective of any previous convictions or cautions. Please ask to see our Staff Recruitment and Selection Policy and Procedure for more information about this.

E) WITH WHOM WE SHARE DATA

The information we retain will only be seen by a limited number of people within Gofal Bro and by representatives of those agencies who have a legal right to access the information, e.g. Care Inspectorate Wales.

All our staff who share the responsibility for managing the staff files have been trained in ensuring the data is processed in line with UKGDPR and the Data Protection Act 2018.

F) PROTECTING DATA

Gofal Bro is aware we are required to ensure all personal data is protected. We have safeguards in place to store the data securely and ensure this is not accidentally or illegally destroyed, lost, altered seen by or shared with, anybody who does not have the right to access the information.

G) FOR HOW LONG DO WE KEEP DATA?

We only keep data for as long as we are legally obliged to keep it or, in the case of unsuccessful candidates, for only as long as we need it, i.e.

- if an application is not successful, and we have not asked the applicant, or they have not agreed for us to keep their data in case we can offer them a post in future, we will keep the data for six months.
- if an application is not successful, and we have asked if we can keep the data on file in case, we can offer someone a post in future, and the applicant has agreed to this, we will keep the data for nine months.

At the end of the six- or nine-month period, we will delete or destroy the data, unless the applicant has already withdrawn their permission for us to process the data.

If a person's application is successful, the data will be kept and transferred to the systems we administer for our staff and we have a separate privacy notice for this.

H) FAILURE TO PROVIDE DATA

A failure to provide us with the data we require may mean we are unable to offer an applicant a post.

I) AN APPLICANT'S RIGHTS

An applicant has the following rights in relation to the personal data we hold about them:

- a) the right to be informed about the data and what we do with it;
- b) the right to see the data;
- c) the right for any errors in the data to be corrected;
- d) the right to have data deleted in certain circumstances;
- e) the right to restrict the processing of the data;

- f) the right to transfer the data to somebody else;
- g) the right to object to the inclusion of any information;

In addition to the above, an applicant has the right at any time to withdraw the permission, which they previously provided, to our processing of their data. Withdrawing the permission means we will stop processing the data. There are no consequences for withdrawing the permission, however, in some cases, we will have to continue using the data if we have a legal obligation or legitimate reason for doing so.

If you wish to exercise any of the above rights, please contact Gwynfor Jones, our compliance officer in respect of our data protection activities. His contact details are:

Address: Gofal Bro, Y Deri, Hen Furiiau, Pwllheli Road, Caernarfon, Gwynedd, LL55 2YS

Telephone: 01286 671614

Email: gofalbro2005@outlook.com

K) MAKING A COMPLAINT

If an applicant has any concerns about how we have handled their personal information they can report this to the Information Commissioner's Office - Wales at:

2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone no: 0330 414 6421

Email: wales@ico.org.uk