

# Privacy and Fair Processing Notice

## Recruitment Candidates

Candidates that have applied to us can rest assured that we value your privacy and want you to understand the choices and control you have over your information with the Superior Healthcare Group. We have created this GDPR Privacy Notice to help explain those choices and give you that control.

### 1. Definitions

- The General Data Protection Regulations (GDPR) mean that companies need to be clear about how they obtain and use personal data.
- In order to implement and comply with GDPR you are being given this notice to inform you about how and why we process personal data and the lawful basis for doing so.
- The Superior Healthcare Group Ltd ('we' or 'us') is a 'data controller' for the purposes of data protection legislation. A data controller determines the purposes and means of processing personal data.
- Personal data is any information which relates to an individual who can be identified from that information.
- Processing includes the collection, recording, storage, use, disclosure or destruction of personal data.
- This notice describes the categories of personal data we use for you, and the legal basis on which we do this, and for what purpose.
- This notice does not provide exhaustive detail. However, we are happy to provide any additional information or explanation needed. Any requests for this should be addressed to our Data Protection Officer (see Section 11).

### 2. General Data Protection Regulations

2.1 The GDPR principles are as follows:

- **Lawfulness, fairness and transparency** – data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.
- **Purpose limitation** – data must be collected only for specified, explicit and legitimate purposes.
- **Data minimisation** – data must be adequate, relevant and limited to what is necessary.
- **Accuracy** – data must be accurate and, where necessary, kept up to date. Inaccurate data must be erased.
- **Storage limitation** – data must only be stored for as long as is necessary.
- **Integrity and confidentiality** – data must be processed in a secure manner.
- **Accountability** – the data controller is responsible for, and must be able to demonstrate, compliance with the other data protection principles.

### 3. Why we ask you to provide personal information?

3.1 The purpose of the Superior Healthcare Group processing your personal information/data is so we may provide you with an effective service. As a prospective employer, Superior Healthcare collects and uses personal information about you.

3.2 Your information may be used within the Superior Healthcare Group for audit purposes to monitor the quality our services.

## 4. Categories of data we process

- 4.1 We process personal information relating to identified natural persons so we may deliver a thorough and efficient recruitment process.
- 4.2 We use a combination of working practices and technology to guarantee that your information is kept confidential and secure. Records held by the Superior Healthcare Group may include the following information about you:
- Details such as your address, career history, right to work in the UK, career referees, contact and emergency contact details
  - Notes and reports about your application
- 4.3 The personal data we hold about you has been submitted to us by you for the purposes of applying for employment. We will not use any information about you that is available in publicly accessible sources, with the exception of social media checks.
- 4.4 Where these checks are carried out they will at all times be executed in line with our policy. Any additional details we will require about you in order to process your application for employment, we will request directly from you.
- 4.5 The provision of your personal data about your application for employment is covered in UK law by: GDPR Art 9.2(h).
- 4.6 If you do not wish personal data that we hold about you to be used or shared in the way that is described in this notice, please discuss the matter with us. You have the right to object, but this may affect our ability to process and assess your application.

## 5. What are the legal grounds for us processing your personal information?

- 5.1 Working closely with our public health commissioners we closely follow the statutory health and social care organisations guidelines in the delivery of our services and we use the following lawful basis for processing your data:
- Article 6 Article 6 Lawful processing: Article 6(b) ‘...the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract...’

This also includes local administrative purposes such as:

- Activity monitoring
- Regular audits
- Production of datasets to submit for commissioning purposes and national collections.

We will not share information that identifies you for any reason, unless:

- You ask us to do so
- We ask and you give us specific permission
- We have to do this by law
- We have special permission because we believe that the reasons for sharing are so important that they override our obligation of confidentiality, for example, to prevent someone from being seriously harmed.

## 6. Retention periods

- 6.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any statutory, health and safety, accounting or reporting requirements.

## 7. Who do we share this information with?

7.1 To make sure that we provide you with an efficient and effective service, we will sometimes need to share your information:

- Between teams within our organisation
- Our Occupational Health provider/s
- Disclosure and Barring services
- UK Home Office for Visa and Immigration purposes
- UK Home Office for enhanced checks relating to our Health in Justice services.

7.2 We may have to share your personal information, subject to strict agreements on how it will be used, with the following organisations:

- Our online reference checks provider
- Disclosure and Barring Service
- Professional registration bodies
- ID badge company

7.3 We will only ever share your information for your direct care, and only when we are satisfied that our partners or suppliers have sufficient measures in place to protect your information in the same way that we do.

7.4 Your information will only be shared within the legal basis we have stated and we will never share your information for any other purposes other than for the purposes of evaluating your application.

7.5 Your personal and sensitive data will only be stored and processed on servers based within the European Economic Area (EEA). Your data will only be processed by our staff based within the UK and not beyond the EEA region.

## 8. Automated decision making

8.1 An automated decision is one that is made with no human involvement. For example, your occupational health questionnaire will initially go through an automated process to determine your fitness to work. However, should the outcome be anything other than a positive one, this will be reviewed by an Occupational Health practitioner before any further action and a final decision is reached.

8.2 Please be aware that you will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

## 9. Rights of access, correction, erasure, restriction and portability

9.1 You have the following rights under the GDPR:

- Request **access to your personal data** (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request **correction of the personal data** that we hold about you. This enables you to ask to have any incomplete or inaccurate information we hold about you corrected.
- Request **erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- **Object to processing** of your personal information on grounds relating to your particular situation where we are relying on a legitimate interest (or those of a third party) or where

processing is necessary for the performance of a task carried out in the public interest as the lawful basis for processing.

- **Request the restriction** of processing of your personal information on the following grounds:
  - you contest the accuracy of the personal data for a period enabling us to verify the accuracy;
  - the processing is unlawful and you oppose the erasure of the personal data and requests restriction instead;
  - we no longer need the personal data for the original purposes of the processing, but the data is required by you for the establishment, exercise or defence of legal claims.
- **Request the transfer** of your personal information to another party, also known as portability.

9.2 Please contact our Data Protection Officer in writing (contact details below) if you would like to exercise any of your rights under the GDPR. We will aim to respond within 30 calendar days of our receipt of your request.

9.3 To help us deal with your request as efficiently as possible, you will need to include:

- Your current name and address
- Proof of identity (a copy of your driving licence, passport or two different utility bills that display your name and address)
- As much detail as possible regarding your request so that we can identify any information we may hold about you, this may need to include your previous name and address, date of birth and what the Superior Healthcare Group services you received.

## 10. Contact us

If you have any questions regarding this notice, wish to contact our Data Protection Officer, or wish to exercise any of your rights under GDPR, please contact us at the address below.

Jo Rychlik, Head of HR  
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Boorman Way  
Whitstable  
Kent  
CT5 3SE

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Tel: 1227 771133

We will always do our best to assist you to exercise your rights and give you any information you request and have the right to receive. However, if you ever feel you need to pursue a data privacy complaint further, you have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

The contact details of the ICO are as follows:

- Helpline: 0303 123 1113
- Website: <https://ico.org.uk/concerns/>