Cardiff and Vale University Health Board
Medical/Dental Workforce Department

This leaflet has been issued to assist and facilitate the Recruitment process of Medical/Dental staff.

1. Your rights

This leaflet covers your rights under a new law called the General Data Protection Regulation (GDPR). It emphasises the need to make sure that we explain how we use your information during the recruitment process.

The information we give you about our use of your information will be:

- Brief, easy to read and easily accessible;
- Written in clear, plain language; and
- Free of charge.

2. What laws do we use?

The law determines how we can use your information. The laws we follow that allow us to use your information are listed below:

- General Data Protection Regulation
- UK Data Protection Bill
- Human Rights Act
- Freedom of Information Act
- Common Law Duty of Confidence - Confidentiality
- Computer Misuse Act
- Audit Commission Act
- Regulation of Investigatory Powers Act

The Cardiff and Vale UHB Medical/Dental Workforce Departments administer the recruitment processes for Medical/Dental staff, and is the holder and user of your information.

3. What types of personal information do we use for recruitment?

The information listed below, that you provide as part of your application form, will be used for Recruitment purposes. These include:

- Contact names, addresses, telephone numbers, date of birth;

- Personal information that includes gender, race, ethnicity, sexual orientation, religious beliefs (where you have provided this information);
- Medical information including physical health or condition (if provided);
- Employment history;
- References;
- Qualifications;
- Passport / Driving License information;
- Work permits (where applicable);
- Criminal record history (where applicable).

We also collect documentation as evidence as part of our mandatory pre-employment checks, this includes items such as:

- Passport information;
- Driving licence information;
- Utility bills;
- Right to work information.

4. What is the purpose of processing information?

As an applicant for work within Cardiff and Vale, we will only use your information for Recruitment purposes and to conduct pre-employment checks for Safe Recruitment, and to reuse those checks for speedy recruitment and to save costs should you apply for a job within NHS Wales in the future.

If you are successful, we will provide you with separate guidance on what information we process about you.

Where we ask for your consent (permission), any refusal may result in withdrawal of the post offer due to various standards and the legislation that we must adhere to at all times.

We will also use your information without permission only where it is justified by law. These may include allegations of fraud, where an applicant has lied on their application form or where someone has provided false documentation or qualifications.

5. Sharing your information

There are reasons why we share information for recruitment purposes.

This is normally for the application/recruitment process that includes:

- Administration of the Intrepid database/NHS Jobs/Trac/Capita/Electronic Staff Record (ESR) and Cohort Occupational Health systems;
- Shortlisting potential applicants;

- Interviewing all shortlisted applicants;
- Performing Pre-Employment Checks (PEC checks); and
- Appointing successful applicants to the role applied for.

Under the law, your information is shared only with individuals that are responsible for the recruitment process. This is so that only the appropriate people work together to recruit staff for the benefit of you and the NHS.

It is important to note that anyone receiving information about you is under a legal duty to keep it confidential.

We only request, use and share the minimum information necessary.

We will never sell your information and we will not share it without the appropriate legal authority.

6. Security of your Information

Cardiff and Vale UHB takes responsibility to look after your personal information very seriously. This is regardless of whether it is electronic or in paper form.

We also employ someone who is responsible for managing information and its confidentiality to ensure:

- Your information is protected; and
- Inform you how it will be used.

All staff are required to undertake training on a regular basis. Comprehensive training is required to help protect the information that has been given to the UHB. The training makes sure that all staff working in the NHS are aware of their responsibilities about the handling of your information regardless of the department that they work in.

If your application is successful, your data is downloaded into the Electronic Staff Record (ESR) system.

The ESR system also interfaces with other systems such as the General Medical Council (GMC) Register, Intrepid, the Disclosure and Barring Service (DBS) Update Service and the Cohort Occupational Health System.

7. What are you entitled to?

We will make sure that you are able to have access to your information. This is so that you know what we hold.

You have the right:

- To know about details of how your information is used; and
- Have copies of your information.

If you want to know more please contact the Cardiff and Vale UHB Data Protection Officer for further information about your rights of access.

Cardiff and Vale UHB tries to answer all requests for access to information as quickly as possible. The organisation is obliged to provide a response to your request within a month of receiving it, but this can be extended if the request is complex and extensive.

These rights relate only to your own information. You can request to see another person's information, if one of the following applies:

- Parent/legal guardian of a child too young to exercise own legal rights
- Where someone (with mental capacity) has authorised the individual to operate on their behalf
- Under the terms of the Mental Capacity Act

Cardiff and Vale UHB will look at your request to make sure that the information requested is personal information. Most of the time, it will be clear that the information is personal but Cardiff and Vale UHB will contact you if it is not clear.

Do I have to pay a fee?

In most cases, the information will be provided free.

However, we could ask for a small fee. This is where the request is large or repeated.

This will be based on the cost of providing it. If you wish to find out more about fees for information, then please contact the Cardiff and Vale UHB Information Governance Manager.

How will information be provided?

The information will be provided in a format that can be used on another system easily if it is electronic (i.e. Microsoft Word or Excel). Otherwise, it will be supplied on paper.

8. Permission (consent)

For the use of your personal information to be lawful, Cardiff and Vale UHB may ask for permission from you. This is not necessary if the use is for a lawful basis under current regulation such as for Recruitment purposes.

Any permission (consent) that is collected from you should have been given freely and you have not been pressured to do so. This should have been done clearly and you are aware of what the use of your information means.

Informing you and obtaining your consent

If your permission is asked for, you will be provided with information regarding this by use of this Privacy Notice. This will explain what you are being asked to give permission for. Cardiff and Vale UHB will have to prove that it gave you information and that you were fully aware of what you were giving permission for.

If permission is requested, you could provide this in several ways that include by writing, ticking a box on a web page, by choosing options in a mobile phone app, or by any other action that shows your acceptance of the use of your information.

9. What about stopping use?

When a request for stopping use is received, Cardiff and Vale UHB will still store information but will not use it anymore.

Any changes that include the stopping of the use of your information will be told to you at the time.

However, any withdrawn or unsuccessful job applications or applications that did not complete pre-employment checks will be retained for 13 months and destroyed after this time.

10. What about rights to correct or delete inaccurate information?

You are entitled to request that Cardiff and Vale UHB correct any mistakes in your information.

The Cardiff and Vale UHB must ensure that proven inaccurate or incomplete information is either erased or corrected.

Keeping your information

We will only store information for as long as necessary. Records are stored in line with Records Management Code of Practice for Health & Social Care's

retention and disposal schedule. This determines the minimum length of time records should be kept.

Making a complaint

If you wish to make a complaint about any issues you have experienced regarding your information, then please contact:

Paul Rothwell
Senior Manager Performance and Compliance
1st floor Monmouth House
UHW
Tel: 02920 743747 (internal 43747)
E mail: paul.rothwell@wales.nhs.uk

If you are still unsatisfied following your complaint and this remains unresolved, you have the right to make a complaint to the:

Information Commissioner's Office,
2nd Floor,
Churchill House,
17 Churchill Way,
Cardiff, CF10 2HH

Email: wales@ico.gsi.gov.uk
Website: www.ico.org.uk

Further information

For more information relating to this leaflet or questions on the content of this information, please contact the Medical / Dental Workforce Department