MacIntyre
Providing support...your way

Privacy Notice for Staff and Job Applicants

Introduction
This privacy notice explains how and why MacIntyre ("we") process personal information about you and your rights in relation to that information. Personal information means any information that identifies you or could identify you. This notice applies to people who apply to work with us, volunteers and our staff ("you") including during recruitment and throughout your engagement with us. This notice does not form part of any contract of employment or indicate any intention of creating a legal relationship between us and we may update this notice at any time. Where appropriate, we will notify you of significant changes.

MacIntyre is usually the "Data Controller" of your information for the purposes of data protection law. In some cases, other organisations we work with may act as independent data controllers (for example occupational health providers, the Disclosure Barring Service and regulators), while others process personal information on our behalf as data processors (such as rota, IT and HR system providers)

Our named representative
Our named representative for data protection purposes is Claire Toombs (Finance Director /Senior Information Risk Owner) who can be contacted in relation to any queries regarding data protection at data.protection@macintyrecharity.org or at MacIntyre Central Office, MacIntyre, Seebeck House, 1 Seebeck Place, Knowlhill, Milton Keynes, MK5 8FR.

Data Protection Principles
We are committed to processing your data in compliance with data protection law which says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely using appropriate technical and organisational measures.

The kind of information we hold about you
The personal information which we expect to collect and process is likely to include but not be restricted to the following:

- Contact details (work and personal) such as name, address, email, mobile and telephone numbers;
- Social networking profiles (where relevant to recruitment or employment and in line with our policies);
- UK right to work documentation such as passport and visas;
- Date of birth;
- Gender, race or ethnicity, religious beliefs, sexual orientation;
- Marital status and dependants, next of kin and emergency contact information;
- National Insurance information;
- Driving licence and car insurance details;

- Recruitment information (including referee details and confidential reference responses, previous employment information, absence and sickness information, performance and conduct information, education and training information/qualifications, outside interests or hobbies, and other similar information included in a CV or cover letter or as part of the application process);
- Information about criminal convictions and offences;
- Employment records with us (including job titles, work history, working hours, work location, training records and professional memberships, salary and benefit and pension information, trade union membership, related dates);
- Performance and conduct information (including disciplinary details);
- Grievance information;
- Absence information (including annual leave, sickness, family leave etc.);
- Information about your health, including any medical condition, health and sickness records and vaccination status;
- Information about any disability that would be required to support you to attend interview, or to consider reasonable adjustments for you in the workplace;
- Biometric data (where used for identification purposes, for example access controls, if applicable);
- Bank account details, payroll records and tax status information;
- CCTV footage and other information obtained through electronic means such as swipe card records;
- Information about your use of our information and communications systems;
- Photographs.

Special Category Data and Criminal Offence Data
Some of the above information we collect about you will include “special category data” which is more sensitive and is therefore given more protection. This includes information about the following:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for identification purposes);
- health (including vaccination status);
- sex life; or
- sexual orientation.

More protection is also given to the following category of data due to its sensitive nature:

- Criminal Offences and convictions

This means; we will only process this more sensitive information in the lists above where necessary and ensure it is only seen by those who have to see it and we will ensure it will be kept secure.

We process special category personal data under the following conditions set out in UK GDPR Article 9:

- Article 9(2)(a) – you have given explicit consent to the processing of the data
- Article 9(2)(b) – processing necessary for employment, social security and social protection law
- Article 9(2)(h) – processing necessary for occupational health purposes
- Article 9(2)(g) – processing necessary for reasons of substantial public interest (including safeguarding vulnerable individuals)

We process criminal offence data in accordance with Article 10 of the UK GDPR and Schedule 1 of the Data Protection Act 2018, including where necessary for safeguarding, recruitment checks and regulatory requirements.

Who is collecting your data and who it is shared with

Generally, we will be collecting the information about you from you directly, but there are certain limited circumstances where information about you may be collected from, provided to and used by other organisations ("third parties"). Information about you may be collected from and provided to the following organisations:

- Our outsourced recruitment tracking system to process job applications we receive;
- Recruitment agencies which may provide candidate details to us;
- Online Job Boards;
- The Disclosure and Barring Service (DBS);
- Our occupational health, rehabilitation services and Employee Assistance Programme providers;
- Our outsourced payroll and HR system provider;
- Our Learning Management System;
- HMRC, regulatory authorities including local authorities and safeguarding teams, CQC, Care Inspectorate Wales, OFSTED and other government or similar departments to comply with our legal obligations (these official bodies may in turn share your information with other public bodies where there is a lawful and legitimate reason to do so; to find out more, ask to see a copy of their own 'privacy notices');
- Solicitors, courts and tribunals where necessary for establishing and defending legal claims;
- Organisations that support reward and recognition schemes (for example pension providers and My Rewards);
- Where you entering into a formal qualification, information relevant to your qualification will be made available to the awarding organisation/relevant regulators (such as City and Guilds)
- Other third parties where we have a legitimate reason to share it, such as professional advisors and service providers who have the necessary safeguards in place to protect your information (e.g. financial auditors, pension administrators);
- Sometimes we may involve people we support and/or their family members or advocates as part of the recruitment interview panel. These people will see your application to work with MacIntyre.

Why we collect and use your information

We process your personal data for the following purposes and rely on different lawful bases depending on the activity. The following are situations in which we are likely to, but not be restricted to, processing your information:

- Making a decision about your recruitment or appointment;
- Ascertaining your fitness to work and supporting any reasonable adjustments identified;
- Checking you are legally entitled to work in the UK;
- Paying you, including deducting any relevant tax and National Insurance contributions;
- Providing benefits to you such as pension arrangements, My Rewards, Occupational Health support, Employee Assistance Programme;
- Liaising with your pension provider;
- Conducting salary reviews, performance reviews, managing performance and determining performance requirements;
- Assessing qualifications and/or skills for a particular job or task, including decisions about internal transfers and promotions;
- Complying with health and safety obligations;
- Preventing abuse, fraud or other illegal activities
- Managing sickness and other types of absence;

- Investigating and determining matters in relation to conduct and employment concerns, including Disciplinary and Grievance issues;
- Education, training and development requirements;
- Monitoring your use of our information and communication systems to ensure compliance with our Confidentiality, Data Protection and IT policies;
- Ensuring network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- Monitoring of premises (CCTV) to ensure security, safeguard individuals and ensure compliance with our policies. (Monitoring is proportionate and carried out in accordance with applicable laws.
- Business management and planning, including accounting and auditing;
- Dealing with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- Monitoring, reviewing and better understanding employee relations matters, equality and diversity of employment, employee retention and turnover rates/reasons;
- Making arrangements for and understanding your reasons for leaving.

The grounds for processing your personal information
We rely on the following lawful bases when processing your personal data, depending on the purpose:

- It is necessary to perform any contract with you, for example managing your employment and paying your salary;
- It is necessary to comply with legal obligations, for example employment law, safeguarding and regulatory requirements;
- It is necessary for our legitimate interests, including safe recruitment, safeguarding vulnerable individual, maintaining secure systems and effective workforce management;
- To establish or defend any legal claims;
- It is necessary to protect the vital interests of you or somebody else;
- It is necessary for reasons of public interests or for official purposes, for example safeguarding, monitoring equal opportunity and diversity of employment;
- In a few circumstances with your explicit written consent, for example when obtaining occupational health or medical advice, or when collecting information for equality, diversity and inclusion analysis purposes;

Use of Artificial Intelligence
We may use artificial intelligence (AI) and automated tools to support our services, improve decision-making, enhance efficiency, and help us deliver safe, high-quality care and education. These tools may assist with tasks such as analysing information, identifying patterns, supporting care or learning plans, or improving administrative processes.
Where we use AI, we ensure that it is used responsibly and in line with data protection law. This means we use appropriate safeguards, including human oversight, to ensure decisions are fair, transparent and accurate. We do not make decisions about individuals based solely on automated processing where those decisions would have a significant impact, without meaningful human involvement.
In recruitment and HR processes, AI tools may assist with administrative tasks or screening, but decisions are always reviewed by people.
Some AI tools are provided by trusted third-party suppliers who process data on our behalf. We ensure appropriate contractual and security safeguards are in place. We only process personal data through AI systems where there is a lawful basis to do so, and we take steps to ensure that your information remains secure and is only used for appropriate purposes.

How long we will process your information for
We will only keep your information for as long as necessary to meet our contractual, regulatory and legal obligations.
For example:

- recruitment records for unsuccessful candidates are typically retained for up to 13 months after the recruitment process has ended
- Employee records are generally retained for the duration of employment and up to 6 years (plus the current financial year) after employment ends
    - Details of how long we keep the different kinds of information we process is set out in our data retention schedule which is available from our named representative (see start of this Privacy Notice).

Failure to provide data
If you fail to provide certain personal information when requested, we may not be able to process your application, enter into or perform a contract with you, or comply with legal obligations.

Your rights under data protection law
You have certain rights relating to your information which are detailed below:

1. To be informed about the collection and use of your information which we have set out in this privacy notice.
2. To ask for access to your own personal information through a "Subject Access Request". We will respond to your request within 1 month or, if not able to do so, we will explain why we need to extend the time needed to respond to you.
3. To have any inaccurate information we hold about you corrected.
4. To delete information about you in certain circumstances.
5. To stop us using your personal information for certain purposes.
6. To provide information you have given us about yourself in a portable format.
7. To object to us processing your data in certain circumstances.
8. To be provided with information about any automated decision making and profiling. We do not currently make decisions about you based solely on automated processing.
    i. If you wish to exercise any of your rights, please contact our named representative (see start of this Privacy Notice).

Where you can raise concerns or find further information
If you have any questions regarding data protection or this Privacy Notice or if you are unhappy with how we are processing your data, then please contact the data protection team.

- Email us on data.protection@macintyrecharity.org
- Leave us a message on 01905 230100
- Send us a letter at
    - FAO Data Protection Team
    - MacIntyre
    - Seebeck House
    - 1 Seebeck Place
    - Knowlhill
    - Milton Keynes
    - MK5 8FR

Alternatively, if we cannot resolve your concerns then you have the right to complain to the Information Commissioners Office:

- Online at: Make a complaint | ICO Telephone: 0303 123 1113