 NATIONAL ORTHOPAEDIC HOSPITAL CAPPAGH	Document Number:	IM-HR-6
	Revision Number:	1
	Issue Date:	03/03/2020
	Next Review:	See Q-Pulse Record
National Orthopaedic Hospital Cappagh, Finglas, Dublin 11.	PRIVACY STATEMENT - RECRUITMENT	

National Orthopaedic Hospital Cappagh endeavours to protect and cherish the privacy rights of all staff, patients and visitors and will take all necessary steps to protect the fundamental privacy rights and freedoms of individuals.

National Orthopaedic Hospital Cappagh (“the Hospital”, “us”, “we”, “our”) is the Data Controller for the personal data you provide to us in the course of the recruitment process. We are committed to meeting the requirements of the General Data Protection Regulation and the Data Protection Act 2018 in the manner in which we process your personal data.

Your Personal Data will be:


- used lawfully, fairly and in a transparent way;
- collected only for valid purposes and not be used in a way that is incompatible with those purposes;
- accurate and amended on request;
- held securely;
- kept as long as necessary and for the purposes we have told you about.

This privacy statement outlines how we process your personal data if you apply for a position with the Hospital. We will also explain your rights in regards to our processing of your personal data.

How we collect information about you?

We collect personal information from you, for example when you:

- make an application directly or through executive search;
- participate in the selection process which may include tests, interviews, clearance and assignments stage;
- respond to our voluntary surveys
- visit the Hospital then personal data may be captured on our CCTV system
- signing in at the Hospital reception

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What information do we collect about you?

When you register an interest in a position or submit an application for a position, we create a record in your name.

The following outlines the information we may collect and hold about you when you apply for a position or progress through the selection process for a position.


Identification	Candidate Id, Name, gender, date of birth, nationality, country of birth, work permit status
Contact Information	Address, phone numbers, email addresses
CV	Work history and experience
Qualifications	Descriptions of relevant qualifications, skills and experiences in specific areas
References	Three contacts for prior employments
Correspondence	Cover letter, application form, correspondence in relation to the application process

During the course of the selection process we may also collect further personal information such as

Interview	Interview notices, details and notes
Assessments/Tests	Assessment notices, results and notes on your performance of assessments.
Correspondence	Correspondence in relation to the interview, assessment and selection process

If you are successful in the selection process and/or under consideration we may also process:

Health	Health Statement/Medical/
Character Information	Garda Vetting/Security Clearance Information
Identification documents	Passport, driving licences, visas
Qualifications	Original Qualifications – Degrees etc
Professional Bodies	Professional Membership
Employer/Other References	Names, contact details and results of references
Correspondence	Correspondence in relation to the final stages of the selection process

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Do we process special categories of data?

Special categories of data we may require, or which you may volunteer, during the recruitment process include relevant Health Data and relevant Disability Data.

How do we use your personal data?

Information submitted through the recruitment process is used in processing your application. We use the information we collect to evaluate your suitability for a position in the Hospital and to enable the Hospital to make an offer to successful candidate(s).

What is our legal basis for processing your personal data?

The legal basis we rely on for processing your personal data is:

- Article 6(1)(b) of the GDPR, which relates to processing necessary to perform a contract or to take steps at your request, before entering a contract.


Sometimes when we process your personal data the legal basis, we rely on is

- Article 6(1)(f) of the GDPR where processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child

One of our legitimate interests is to ensure that the data you provide is true and accurate. It is our legitimate interest to prevent misrepresentation to verify and validate your references and previous job history by contacting the referees and previous employers you identify in your application.

If we process any special category data, such as health, religious or ethnic information we rely on

- Article 9(2)(b) of the GDPR, which relates to our obligations in employment and social protection law and the safeguarding of your fundamental rights
- Article 9(2)(h) for assessing your work capacity as an employee.
- Sections 45, 46 and 52(b) of the Data Protection Act 2018 which relates to processing of special categories of personal data, processing for the purposes of employment and social welfare law and processing under Article 9(2)(h).

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How do we ensure we are meeting our legal and regulatory obligations?

To meet our regulatory and legal obligations, we collect your personal information, retain it in a safe and secure structure and keep it and update it as further details are provided and delete it once we no longer have to keep it.

We may also need to transfer information about you to a third party (e.g. test providers) and this will only take place via secure channels. Before data is transferred to an external third party a written agreement will be put in place in advance of any data transfer.

The onus is on the candidate to ensure that their personal information provided is correct and to advise the Hospital of anything that needs to be updated.

If you believe that we may have collected personal data from someone under the age of 18 without parental permission, please contact our DPO at dpo@nohc.ie and we will investigate and address the issue promptly.

How will we keep your information safe?

We use appropriate technical, organizational and administrative security measures to protect your Personal Data from loss, misuse, unauthorized access, disclosure, alteration, and destruction. These security measures are designed to provide a level of security appropriate to the risk of processing your Personal Data. We ensure that only those staff members with a need to access a particular set of personal or sensitive data are allowed to access that data.

The Hospital Security Policy sets out who can access the various types of personal data in the Hospital, the procedures for handling personal data and for ensuring the security of personal data (manual and electronic files). It also contains procedures for the transmission of data to other parties.


How long does the Hospital retain your personal data for?

For successful candidates we will retain your personal data until a position is offered and accepted by you and your personal data is then transferred to employee records.

For unsuccessful candidates your personal data will be deleted within 12 months of the end of the competition period.

Access to your personal data by third parties

In the course of our business we may use third parties, 'data processors', such as contractors, consultants and external service providers (including on-line test and assessment providers) to process your personal data. This processing will be carried out under the terms of a Data Processing Agreement and in compliance with GDPR.

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We require that data processors provide sufficient guarantees that the necessary safeguards and controls have been implemented to ensure there is no impact on your data rights and freedoms.

International Data Transfers

We will not transfer your personal data outside of the EEA unless we receive your prior consent.

Your Rights under GDPR

- You can **access, correct, update or request deletion** of your personal data.
- you can **object to processing** of your personal data, you can ask us to **restrict processing** of your personal data or **request portability** of your Personal Information.
- If we have collected and process your personal data with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to the Data Protection Commission** about our collection and use of your personal data.


The following details your rights, how you can exercise these rights and how we intend to satisfy your requests.

Your Right of access

You have the right to find out if an organisation is using or storing your personal data. This is called the right of access. You exercise this right by asking for a copy of the data, which is commonly known as making a 'subject access request'. There are some exemptions, which means you may not always receive all the information we process.

If the Hospital is processing your personal data you are entitled to access your personal data as well as receive the following information:

1. Confirmation of whether or not personal data concerning you is being processed
2. Where personal data concerning you is being processed, a copy of your personal information will be provided in addition to information on the following.
 1. The purposes of processing
 2. The categories of personal data concerned
 3. The recipients, or categories of recipients, to whom personal data has been, or will be disclosed
 4. The expected period for which personal data will be stored, or if not possible, the criteria used to determine that period

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5. The existence of the following rights:

- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to object

6. The right to lodge a complaint with the Data Protection Commissioner

7. Where the personal data is not collected from the data subject, any available information regarding the sources

8. The existence of automated decision-making (including profiling) being operated on the data subject's data, where relevant, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject

9. Where personal data is transferred to a third party, confirmation that we apply the appropriate GDPR safeguards relating to such transfers.

How do I make a request for my data?

You can make a subject access request verbally or in writing. When making a subject access request, please provide the following information:


- Your name and contact details.
- Any information used by the organisation to identify or distinguish you from other people with the same name (account numbers etc).
- Any details or relevant dates that will help it identify what you want.
- Details of the data you want, be as specific as possible.

We will also need to verify your identity so please be prepared to submit a copy of identification documents (passport/driving licence and confirmation of address).

When we have the request and have verified your identity, we have up to one month to fulfil your request.

Once the Hospital commences work on collating your personal data we will respond without undue delay. If the request is complex, we have the option to extend our response time by up to a further two months.

In the course of dealing with your request, we consider the rights of third parties and obligations of confidentiality which may apply, in addition to exemptions under GDPR. Where the identity of third parties would be disclosed in data relating to you, we may either redact that data to protect the privacy and confidentiality of such third parties. We may redact other information which is confidential to the Hospital and is not part of your personal data.

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If you make the request by electronic means, and unless otherwise requested by you, the information will be provided in a commonly used electronic form.

Once our response to your subject access request has been finalised and provided to you, we will retain a full copy for 7 years. There are generally no fees for a subject access request however if you request further copies, the Hospital may charge a reasonable fee based on administrative costs.

Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. Considering the purposes of the processing, you have the right to have incomplete or inaccurate personal data completed or corrected, including by means of providing a supplementary statement.

Your right to erasure

You have the right to have your information deleted or we may delete your data under the following conditions:

- the personal data are no longer necessary in relation to the purposes for which they were collected, or otherwise processed
- you withdraw your consent where there is no other legal ground for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation.

This does not apply when the Hospital is complying with a legal obligation, or performing a task in the public interest, or in the exercise of official authority, or for archiving or research purposes, or for exercise of the defence of a legal claim.

Your right to restriction of processing


You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing

You have the right to object to processing if we are able to process your information because the process forms part of our public tasks, or is in our legitimate interests.

Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

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Further information on your rights

Further information on your rights is available at the Data Protection Commission website: www.dataprotection.ie/en/individuals/rights-individuals-under-general-data-protection-regulation

How to exercise your rights

You can exercise your rights and/or if you wish to make a request, by contacting us by email at dpo@cappagh.ie or by telephoning on +353 814 0447.

Whenever you contact us to ask about your information, we may ask you to verify your identity. This is to help protect your information.

Your right to obtain information cannot adversely affect the rights and freedoms of others. Therefore, we cannot provide information on other people without consent. We generally do not charge you when you contact us to ask about your information. If requests are deemed excessive or manifestly unfounded, we may charge a reasonable fee to cover the additional administrative costs or choose to refuse the requests.

What can you do if you have a complaint about the use of your personal data?

Our Data Protection Officer oversees how we collect, use, share and protect your information to ensure your rights are fulfilled.

If you have a complaint about the use of your personal information, please contact our Data Protection Officer at dpo@nohc.ie or by telephoning on +353 814 0447 giving us the opportunity to put things right as quickly as possible. We will fully investigate all the complaints we receive.

You can also contact the Office of the Data Protection Commission in Ireland using the contact details below:

- Visit their website www.dataprotection.ie.
- Email info@dataprotection.ie
- Phone on +353 (0)57 8684800 or +353 (0)761 104 800
- Write to the Data Protection Commission, 21 Fitzwilliam Square South Dublin 2, D02 RD28

How will the Hospital make updates to this notice?

We may make changes to this notice from time to time, particularly when we change how we use your information, and change our technology and products. You can always find an up-to-date version of this notice on this website at or you can ask us for a copy.