

SILVER BIRCH CARE-PRIVACY POLICY (ATS)

Introduction

Silver Birch Care Holdings Limited ('we', 'us', or 'our') is committed to protecting the privacy of job applicants. This Applicant Tracking System (ATS) Privacy Policy explains how we collect, use, store, and protect your personal information during the recruitment process.

This policy applies to all individuals who apply for employment with us through our ATS, whether directly through our website, third-party job boards, recruitment agencies, or other channels.

Information we collect

We collect and process the following categories of personal information:

a) Information you provide directly:

- Contact details (name, address, email, telephone number)
- Employment history and work experience
- Educational qualifications and professional certifications
- CV/resume and cover letter
- References and referee contact information
- Right to work documentation
- Salary expectations and notice period
- Any other information included in your application or supporting documents

b) Special category data:

With your explicit consent, we may collect:

- Diversity and equal opportunities monitoring information (ethnicity, gender, disability status)
- Health information for reasonable adjustments during the recruitment process
- Criminal conviction data where relevant to the role

c) Information collected automatically:

- Application submission date and time
- Source of application (job board, website, referral)
- IP address and browser information
- Interaction with our ATS platform

d) Information from third parties:

- References from previous employers
- Background check results (where applicable and with consent)
- Information from recruitment agencies
- Publicly available information (e.g., LinkedIn profiles)

How we use your information

We process your personal information for the following purposes:

- To assess your suitability for the role you have applied for
- To communicate with you throughout the recruitment process
- To verify your identity and right to work
- To conduct background checks and reference checks
- To consider you for other suitable vacancies (with your consent)
- To comply with legal obligations and regulatory requirements
- To improve our recruitment processes and ATS functionality
- To monitor equal opportunities and diversity

- To defend legal claims

Legal basis for processing

Under UK GDPR and Data Protection Act 2018, we process your personal information based on the following legal grounds:

- Legitimate interests: To assess applicant suitability and manage recruitment
- Legal obligation: To comply with employment law, right to work checks, and regulatory requirements
- Consent: For processing special category data (diversity monitoring, health information)
- Necessary for entering into a contract: Where you are offered employment

Data Sharing and Disclosure

We may share your information with:

- Internal stakeholders involved in the recruitment process (hiring managers, HR team, interview panel)
- Third-party service providers (ATS vendors, background check providers, assessment tools)
- Recruitment agencies or consultants
- Professional advisers (lawyers, auditors)
- Regulatory bodies or government authorities when required by law
- Your referees (with your permission)

All third parties are required to maintain the confidentiality and security of your personal information and process it only in accordance with our instructions.

Data Security

We implement appropriate technical and organisational security measures to protect your personal information against unauthorised access, loss, destruction, or alteration. These measures include:

- Encryption of data in transit and at rest
- Access controls and authentication procedures
- Regular security assessments and audits
- Staff training on data protection
- Secure data backup and recovery procedures

Data Retention

We retain your personal information only for as long as necessary to fulfil the purposes for which it was collected:

- Unsuccessful applications: [6 months] from the end of the recruitment process, unless you consent to remain in our talent pool
- Successful applications: Transferred to your personnel file and retained in accordance with our employee data retention policy
- Equal opportunities data: Anonymised and retained for statistical purposes
- After the retention period, your data will be securely deleted or anonymised unless we are required to retain it for legal or regulatory purposes.

Data storage for successful candidates

If your application is successful and you accept an offer of employment, the information collected during the recruitment process will be transferred from our ATS to your employee personnel file. This section explains how your data will be managed during this transition and throughout your employment.

Transfer to Personnel File

Upon acceptance of your employment offer, your recruitment data will be:

- Transferred from the ATS to our secure HR management system
- Incorporated into your employee personnel file
- Subject to our Employee Privacy Notice and Data Retention Policy
- Retained for the duration of your employment and for the appropriate period following termination

Information Transferred to Personnel File

The following information from your application will typically be transferred:

- Original application form and CV/resume
- Interview notes and assessment results
- Reference checks and background screening results
- Right to work documentation
- Qualification certificates and professional registrations
- Pre-employment health screening information
- DBS/criminal record checks
- Offer letter and employment contract

Storage Location and Security

Your personnel file will be stored:

- Electronic records: Securely stored in our HR management system with role-based access controls, encryption, and regular backups
- Access: Limited to authorised HR personnel, your line manager (for relevant information only), and yourself

Retention Periods for Employee Records

As an employee, your personnel records will be retained as follows:

- Core employment records: [6years] after termination of employment (in accordance with HMRC and employment law requirements)
- Payroll and tax records: Minimum 6 years after the end of the relevant tax year
- Health and safety records: [Varies by record type - typically 3-40 years depending on exposure risks]
- DBS checks: [6 months after recruitment decision or as required by regulatory requirements]
- Safeguarding records: Retained in accordance with statutory guidance and regulatory requirements for the care sector
- Disciplinary and grievance records: [6-12 months for minor matters; longer for serious cases or as required for legal defence]

Additional Data Collection During Employment

During your employment, we will collect additional personal information necessary for the employment relationship, including but not limited to:

- Bank details and payroll information
- National Insurance number and tax information
- Emergency contact information
- Performance appraisals and development records
- Training and certification records
- Attendance and absence records
- Occupational health information (where relevant)
- Workplace monitoring data (CCTV, IT systems usage where applicable)

This additional information will be governed by our Employee Privacy Notice, which you will receive upon commencement of employment.

Access to Your Personnel File

As an employee, you have the right to:

- Request access to your personnel file through a Subject Access Request
- Request corrections to any inaccurate information
- Review information held about you in accordance with our data protection procedures

Requests should be submitted to hr@silverbirchcare.com and will be processed within one month.

Data Deletion from ATS

Once your recruitment data has been successfully transferred to your personnel file:

- Your application record in the ATS will be marked as 'Hired'
- Essential recruitment data will be archived within the ATS for audit and reporting purposes
- Duplicate information will be removed from the ATS after [6-12 months] to minimize data duplication
- Any sensitive data not required for employment purposes will be securely deleted

Regulatory Requirements

As a provider of children's residential care and supported living services, we are subject to specific regulatory requirements from Ofsted and the Care Quality Commission. This may require us to retain certain categories of information for extended periods to demonstrate compliance with safeguarding obligations, staff vetting procedures, and fitness requirements. These retention periods will be clearly outlined in our Employee Privacy Notice and Data Retention Policy.

Your Rights

Under data protection legislation, you have the following rights:

- Right of access: Request a copy of your personal information
- Right to rectification: Correct inaccurate or incomplete data
- Right to erasure: Request deletion of your data in certain circumstances
- Right to restrict processing: Limit how we use your data
- Right to data portability: Receive your data in a structured, machine-readable format
- Right to object: Object to processing based on legitimate interests
- Right to withdraw consent: Where processing is based on consent

To exercise these rights, please contact us at hr@silverbirchcare.com. We will respond within one month of receipt of your request.

Automated Decision-Making

Our ATS may use automated screening tools to filter applications based on specific criteria (e.g., required qualifications, keywords). However, no solely automated decisions will be made that significantly affect you. All applications are reviewed by human recruiters before final decisions are made.

International Data Transfers

Silver Birch Care primarily stores and processes personal data within the United Kingdom. However, as part of our operations, we use carefully selected third-party providers to support services such as recruitment, HR management, payroll processing, IT systems and secure cloud storage.

Some of these providers may process personal data outside the United Kingdom, including within the European Economic Area (EEA) or, in limited circumstances, other countries such as the United States.

Where personal data is transferred outside the UK, we ensure that the transfer complies with the requirements of the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

This means that we will only transfer personal data where:

- The UK Government has issued an adequacy decision confirming that the destination country provides an adequate level of protection for personal data; or
- The transfer is subject to appropriate safeguards, such as the UK International Data Transfer Agreement (IDTA) or UK Addendum to Standard Contractual Clauses; or
- A specific exception under UK GDPR applies.

Where we use cloud-based systems (for example recruitment platforms, payroll systems or Microsoft 365), data may be hosted in secure data centres outside the UK. In such cases, we ensure:

- Appropriate contractual protections are in place;
- Data is encrypted in transit and at rest where applicable;
- Access is restricted to authorised personnel only;
- Providers meet appropriate security and compliance standards.

We carry out due diligence on all third-party processors to ensure that your personal data is handled securely and in accordance with UK data protection law.

Cookies and Tracking Technologies

Our ATS platform may use cookies and similar technologies to improve functionality and user experience. These may include:

- Essential cookies for system operation
- Performance cookies to analyse platform usage
- Functional cookies to remember your preferences

Talent Pool

With your consent, we may retain your information in our talent pool to consider you for future suitable vacancies. You can opt in or out of the talent pool at any time by contacting us or updating your preferences in the ATS.

Contact Information

If you have any questions, concerns, or requests regarding this policy or how we handle your personal information, please contact:

HR
hr@silverbirchcare.com
0208 848 1800 (option 2)

Right to Lodge a Complaint

If you believe we have not handled your personal information in accordance with data protection law, you have the right to lodge a complaint with the supervisory authority:

Information Commissioner's Office (ICO)
Wycliffe House, Water Lane
Wilmslow, Cheshire SK9 5AF
Telephone: 0303 123 1113
Website: www.ico.org.uk

Acknowledgement

By submitting an application through our ATS, you acknowledge that you have read and understood this Privacy Policy and consent to the collection and processing of your personal information as described herein.

Monitoring and review

We may update this policy from time to time to reflect changes in our practices or legal requirements. The updated version will be posted on our website with a revised 'Last Updated' date. We encourage you to review this policy periodically.