

1. Introduction and who are we?

Fostering First Ireland (“the company”) provides fostering services. The company collects and processes personal information relating to job applicants. This personal information may be held by the company on paper or in electronic format.

The company is committed to being transparent about how it handles your personal information as data controller, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (“GDPR”) and any data protection legislation. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information both during and after your working relationship with the Company. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency. It is non-contractual.

If you have any questions about this privacy notice or about how we handle your personal information, please email us at contactus@ffi.ie or phone on 01 4171944.

The company has appointed a data protection officer to oversee compliance with this privacy notice. If you feel that there are any problems in connection with how we collect or use your personal information, please contact our data protection officer at dpo@keyassets.org.

You also have the right to make a complaint at any time to the Data Protection Commissioner, the supervisory authority for data protection issues in the Republic of Ireland (www.dataprotection.ie). We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance.

2. What types of personal information do we collect about you?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn’t include anonymised data, i.e. where all identifying particulars have been removed.

The company collects, uses and processes a range of personal information about you during the recruitment process. This includes (as applicable):

- personal information included in a CV, any application form, cover letter or interview notes
- first name and surname
- short name (initials)
- title (e.g. Mrs/Mrs etc)
- date of Birth
- gender
- home address and contact numbers
- personal email address
- current employer
- education history including copies of qualification certificates
- employment history details of your skills, qualifications, experience and work history with previous employers
- referees
- whether you own or have access to a vehicle
- driving licence information
- professional memberships
- country of birth

- information about your right to work in the Republic of Ireland and copies of proof of right to work documentation
- information about your current salary level
- details of previous or current safeguarding allegations/investigations
- other background check documentation

The company may also collect, use and process the following special categories of your personal information during the recruitment process (as applicable):

- whether or not you have a disability
- information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation
- marital or civil partnership status
- information about criminal convictions and offences
- age categories
- other types of personal information relevant to your application.

If you decide to submit other personal information (in addition to the above) during the recruitment process, we will store this (subject to retention, see below).

3. How do we collect your personal information?

The company collects personal information about you during the recruitment process either directly from you or sometimes from a third party such as an employment agency. If your recruitment process involves a psychometric test (which involves an external provider), the company will provide the provider with your name, age range, gender, qualification level and personal email address.

You are under no statutory or contractual obligation to provide personal information to the company during the recruitment process.

Your personal information may be stored in different places, including our recruitment system, in the Company's HR management system and in other IT systems, such as the email system.

4. Why and how do we use your personal information?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to take steps at your request prior to entering into a contract with you, or to enter into a contract with you
- where we need to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.

We need all the types of personal information listed under "What types of personal information do we collect about you?" primarily to enable us to take steps at your request to enter into a contract with you, and to enable us to comply with our legal obligations. In some cases, we may also use your personal information where it is necessary to pursue our legitimate interests (or those of a third party), provided that your interests or your fundamental rights and freedoms do not override our interests. Our legitimate interests include: pursuing our business by employing employees, workers and contractors; managing the recruitment process; conducting due diligence on prospective staff and performing effective internal administration.

The purposes for which we are processing, or will process, your personal information are to:

- manage the recruitment process and assess your suitability for employment or engagement
- decide to whom to offer a job

- comply with statutory and/or regulatory requirements and obligations, e.g. safeguarding and checking your right to work in the Republic of Ireland
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensure compliance with your statutory rights
- ensure effective HR and business administration
- monitor equal opportunities
- enable us to establish, exercise or defend possible legal claims.

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

5. What types of special personal information do we collect about you?

There are also “special categories” of personal information, and personal information on criminal convictions and offences and on your health, which require a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation, genetic and biometric data, health information and information about criminal convictions and offences. We will only collect and use your sensitive personal information when the law allows us to.

6. Why and how do we use your sensitive personal information?

Some special categories of personal information, i.e. information about your health, and information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under safeguarding and also employment law (for example, to implement any reasonable adjustments in your working arrangements) and in line with our data protection policy.

The purposes for which we are processing, or will process, health information and information about any criminal convictions and offences, are to:

- assess your suitability for employment or engagement (not applicable to health information)
- comply with statutory and/or regulatory requirements and obligations, e.g. safeguarding and carrying out criminal record checks
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- comply with certain disability schemes which for example, guarantee disabled applicants an interview, under certain conditions
- ensure compliance with your statutory rights
- ensure effective HR and business administration
- monitor equal opportunities.

Where the company processes other special categories of personal information, i.e. information about your racial or ethnic origin, religious or philosophical beliefs and sexual orientation, this is done only for the purpose of equal opportunities monitoring in recruitment and in line with our data protection policy. Personal information that the company uses for these purposes is collected with your explicit written consent, which can be withdrawn at any time. It is entirely your choice whether to provide such personal information.

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

If you decide to submit other sensitive personal information (in addition to the above) during the recruitment process, we will store this (subject to retention, see below).

7. What if you fail to provide personal information and sensitive personal information?

If you fail to provide certain personal information and sensitive personal information when requested, we may not be able to process your job application properly or at all, we may not be able to enter into a contract with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory rights.

From now on in this privacy notice, “your information” includes both your personal information and your sensitive personal information (unless stated otherwise).

8. Change of purpose

We will only use your information for the purposes for which we collected it, i.e. for the recruitment exercise for which you have applied.

9. Who has access to your personal information?

Your personal information may be shared internally within the Company, including with members of the HR department, hiring manager, interviewers, other managers involved in your recruitment and IT staff if access to your personal information is necessary for the performance of their roles.

The company will not share your personal information with third parties during the recruitment process (other than recruitment agencies and psychometric test providers, as applicable).

We may share your personal information with third parties (e.g. a regulator) where it is necessary to enter into a contract with you, or where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

10. Who has access to your sensitive personal information?

Your sensitive personal information is kept separate from your application so that any recruitment decision is made without reference to your sensitive personal information.

Your sensitive personal information will not be shared with anyone during or after the recruitment process, other than individuals tasked with collating KPI's for the purposes of ensuring compliance with equality law.

11. How does the company protect your information?

The company has put in place measures to protect the security of your information. It has internal policies, procedures and controls in place to try and prevent your information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from our data protection officer.

Where your information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your information for specified purposes and in accordance with our written instructions and we do not allow them to use your information for their own purposes.

The company also has in place procedures to deal with a suspected data security breach and we will notify the Data Protection Commissioner (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

12. For how long does the company keep your information?

The company will only retain your information for as long as is necessary to fulfil the purposes for which it was collected and processed and to protect the company's legitimate interests including the of some types of information for the establishment, exercise or defence of legal claims.

If your application for employment or engagement is unsuccessful, the company will generally hold your information for twelve months after the end of the relevant recruitment exercise but this is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of your information for the establishment, exercise or defence of legal claims.

Your information which is no longer to be retained will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such information where applicable.

In some circumstances we may anonymise your information so that it no longer permits your identification. In this case, we may retain such information for a longer period. Anonymised data is no longer personal data and hence, GDPR does not apply to it.

13. Your rights in connection with your information

It is important that the information we hold about you is accurate and up to date. Please keep us informed if your information changes, e.g. you change your home address, during your working relationship with the company so that our records can be updated. The company cannot be held responsible for any errors in your information in this regard unless you have notified the company of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your information - this is usually known as making a data subject access request and it enables you to receive a copy of the information we hold about you and to check that we are lawfully processing it
- request rectification of your information - this enables you to have any inaccurate or incomplete information we hold about you corrected
- request the erasure of your information - this enables you to ask us to delete or remove your information where there is no compelling reason for its continued processing, e.g. it is no longer necessary in relation to the purpose for which it was originally collected.
- restrict the processing of your information - this enables you to ask us to suspend the processing of your information, e.g. if you contest its accuracy and so want us to verify its accuracy.
- object to the processing of your information - this enables you to ask us to stop processing your information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground
- data portability - this gives you the right to request the transfer of your information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact us by email at contactus@ffi.ie. We may need to request specific information from you in order to verify your identity and check your right to access the information or to exercise any of your other rights. This is a security measure to ensure that your information is not disclosed to any person who has no right to receive it.

Please note that some of these rights are not absolute (i.e. they depend on the circumstances). We will let you know which of these rights do not apply at the time you make a request to exercise them.

You also have the right to make a complaint at any time to the Data Protection Commissioner, the supervisory authority for data protection issues in the Republic of Ireland (www.dataprotection.ie). We would, however, appreciate the chance to deal with your concerns before you approach the Commissioner so please contact us in the first instance

14. Transferring your information outside the European Economic Area

The company will not transfer your information to countries outside the European Economic Area.

15. Automated decision making

Automated decision making occurs when an electronic system uses your information to make a decision without human intervention.

We do not envisage that any recruitment decisions will be taken about you based solely on automated decision making, including profiling. However, we will notify you in writing if this position changes.

16. Changes to this privacy notice

The company reserves the right to update or amend this privacy notice at any time, including where the company intends to further process your information for a purpose other than that for which the personal information was collected or where we intend to process new types of information. The most up to date version of this notice is available on our website for review. We may also notify you about the processing of your information in other ways.