MPTS Medical Practitioners Tribunal Service

General Medical Council

Staff recruitment privacy notice

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The GMC is a charity registered in England and Wales (1089278) and Scotland (SC037750).

Privacy notice – Staff recruitment

The General Medical Council (GMC) is committed to protecting your personal data and respects your privacy. This privacy notice statement explains how we will use and manage your personal data for the purposes of recruitment.

When you apply for a role at the GMC or MPTS, you will visit https://jobs.gmc-uk.org and this involves the processing of your personal data. This online recruitment system is provided by the GMC and hosted by its third-party company. Your personal data includes information like your name, email address or telephone number and "processing" includes collecting, storing, using, or disclosing your personal data.

We are bound to comply with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This statement sets out how the GMC complies with UK data protection law. Other policies or processes may contain further privacy notices or statements specific to that policy or process. These privacy notices or statements shall supplement this privacy notice statement.

Data controller

The GMC is the data controller in relation to your personal data that we collect, store and use. In data protection law this means as the data controller we are responsible for deciding how and for what purposes it is used.

What we use your personal data for and our legal basis for doing so

When you visit https://jobs.gmc-uk.org to apply for a role you may be asked to provide certain information yourself, including your name, contact details, date of birth and job history. This information is mandatory and is collected to facilitate the recruitment process.

The GMC and/or persons acting on our behalf may use your personal data for any of the following purposes:

- To carry out the recruitment and selection process;
- To accommodate reasonable adjustments for a disability under the Equality Act 2010;
- for equal opportunities monitoring, business continuity planning;
- for monitoring and assessing compliance with GMC's policies and standards;

- for administrative purposes in relation to the security and access of our systems, premises, and IT systems;
- to comply with our legal and regulatory obligations and requests;
- to comply with court orders and exercise and/ or establish or defend our legal rights;
- for any other legitimate business purpose; and
- as otherwise permitted by any applicable law or regulation

Our processing conditions for using your personal data for the above listed purposes are:

- Article 6(1)(b) of the UK GDPR, processing is necessary to perform a contract or to take steps at your request, before entering a contract or
- Article 6(1)(f) of the UK GDPR, our or a third party's legitimate interests, where such interests are not overridden by your interests or fundamental rights and freedoms or

- Article 6(1)(c) of the UK GDPR "legal obligation".

The lawful basis we rely on to process any information you provide as part of your application which is "special category personal data" are:

- Article 9(2)(b) of the UK GDPR, which relates to the GMC's obligations in employment and safeguarding your fundamental rights or
- Article 9(2)(g) of the UK GDPR, necessary for reasons of substantial public interest.

We are also required to link the above Article 9 processing conditions to further conditions in the Data Protection Act 2018. For this we rely on Schedule 1 Part 1 of the Data Protection Act 2018 which relates to processing for employment purposes and Schedule 1 Part 2 paragraph 6, statutory etc and government purposes.

Right to work checks

Under immigration law, if we offer a job applicant a position, we are required to carry out right to work checks as part of the recruitment process and will ask the applicant for passport, visa or

other information to prove their right to work in the UK. We process this information under Article 6(1)(c) of the UK GDPR, "legal obligation" as our legal basis.

Equal opportunities monitoring

We also ask for equality and diversity data, such as age, ethnicity, disability, gender, sexual orientation, caring responsibilities and religion or belief. We use this equality and diversity information for anonymised statutory monitoring and reporting purposes and enables us to understand and report on trends in all stages of our recruitment process.

This information is optional, and you can choose not to provide it. You can update or ask us to delete these details by contacting recruitment@gmc-uk.org. If you are offered a role we will transfer this information to your employee file, which is kept confidential.

Criminal conviction and offenses data

We also ask job applicants for information about any criminal convictions or offences. The lawful basis we rely on to process this criminal offence data is Article 6(1)(e) of the UK GDPR for the "performance of a public task" which is linked to the GMC's statutory functions. We rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a) of the Data Protection Act 2018 which relates to the exercise of public functions. More information about legal basis for processing personal data under UK data protection law can be found on the Information Commissioners (ICO's) website.

Rectifying your personal data

We make every effort to maintain the accuracy and completeness of your personal data we store and to ensure all of your personal data is up to date. However, you can assist us with this by promptly contacting us if there are any changes to your personal data or if you become aware that we have inaccurate or out of date personal data relating to you.

Access to your personal data

In the event of your application resulting in an offer, your personal data will only be accessed by GMC staff and/or persons acting on our behalf, which have a legitimate reason for doing so, for example by the People team, Finance staff or by our pension provider.

Please be aware that the GMC uses a third-party supplier to hold the information you submit. The third-party company complies with the GMC's security policy and therefore will not share your data with anyone other than the GMC.

During the recruitment process you may be asked to complete online testing to support the selection decision or be asked to complete a video interview. The GMC uses a third-party supplier to facilitate online testing and video interviewing and your name and email address will be provided to them. The third party complies with the GMC's security policy and has their own privacy statement which will be made available to you. They will not share your data with anyone other than the GMC without your prior agreement. We may also undertake virtual interviews using Microsoft Teams and your email address will be provided to the recruiting manager to set up your interview. They will not share your data with any other GMC staff without your prior agreement.

When you have accepted a position, we will also register you with a third-party supplier(s) to complete our pre-screening checks including right to work and address verification and processing a basic DBS check The GMC will give the third-party supplier(s) your name, date of birth, telephone number and email address. The third-party supplier(s)complies with the GMC's security policy and has their own fair processing/privacy policy which will be made accessible to you. They will not share your data with anyone other than the GMC without your prior agreement or as necessary for providing their screening service or as required by law..

You are entitled to request a copy of the personal data we hold about you. To do this, you can email the Information Access Team. We'll usually respond within one month, but if the request is complex or involves large amounts of data, we have up to three months to respond. To find out more about your other data subject rights please visit the ICO's website.

Retaining your personal data

We will only retain your personal data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or GMC policy requirements.

Data you enter on our online recruitment system will be stored in the system so that it can be available for you to 'reuse' as part of a future application. If you do not use the online recruitment system for twelve months your details will be automatically removed after being alerted by email.

A copy of our Retention and disposal policy can be found on our website.

Controlling how we use your data

You have the right under UK GDPR to request how we use your data, by asking us to delete it or limit how we use it under your "data subject rights" in the UK GDPR. You can find out more about your rights under UK GDPR here. If you have any queries about your rights under UK GDPR please email DPO@gmc-uk.org.

Making a complaint

You can make a complaint if you think your personal data has been misused by the GMC or it is not being kept securely. You should advise us immediately by writing to DPO@gmc-uk.org so we can investigate and take corrective action where necessary.

If you are unhappy with our response to an issue or concern you have raised, you can make a complaint to the Information Commissioner's Office (ICO). You can contact the ICO on 0303 123 1113 and further information on making a complaint can be found on their website.

Updates to this statement

We may change or update parts of this privacy notice statement to maintain our compliance with applicable law and regulation or following an update to our internal policies and processes.

For further information on this statement and how the GMC collects, stores, and uses your personal data please contact:

- Andrew Ledgard, Head of Information Access and Policy; GMC Data Protection Officer
- Information access team
- Resourcing team