

# THE MEDICAL SPECIALIST GROUP LLP Candidate Privacy Notice

Version	3		
Tersion	3		
MSG Related Documents	MSG Data Protection Policy		
	MSG Cyber Incident Response Plan		
	MSG Data Breach – Incident Policy Procedure		
HSC Related Documents	None		
Consultation list	MSG Partnership		
	MSG Management Board		
	MSG Management Team		
Issue Date	August 2025		
Review Date	July 2028		
Policy Owner	People & Organisation		
Chief Executive's Signature	PP: Dr Michelle Le Cheminant, Deputy Chair		
Chair / Deputy Chair's Signature	Dr Steve Evans, Chair		

## **DEFINITIONS**

This notice contains the following definitions used throughout:

Terminology	Meaning
The Company	The Medical Specialist Group LLP
The Notice	The Medical Specialist Group LLP – Candidate Privacy Notice
Personal Data	Any information which is related to an identified or
	identifiable natural person.

#### INTRODUCTION

The Medical Specialist Group LLP ("we" or "us") take the privacy and security of your personal data very seriously. In this privacy notice, we set out how we collect and use your personal data before, during and after any potential working relationship with us, in accordance with the current Data Protection (Bailiwick of Guernsey) Law, 2017 (which is the equivalent of the General Data Protection Regulation ((EU 2016/679) ("GDPR") and the UK GDPR), and The Data Protection Act 2018 (DPA) legislation. It applies to all candidates, prospective or formal to our vacancies.

We may update this notice at any time, and we may provide you with additional privacy notices from time to time.

The Medical Specialist Group LLP is registered with The Office of the Data Protection Authority (Bailiwick of Guernsey) https://odpa.gg and you have the right to complain to the ODPA directly.

# **DATA PROTECTION PRINCIPLES**

We will comply with data protection law including the 6 principles of GDPR which are:

- 1. To process your personal data lawfully, fairly and in a transparent way.
- 2. To collect your personal data only for valid purposes that we have advised you about and to not use your personal data in any way that is incompatible with those purposes (unless we have notified you and explained the lawful ground that allows us to do so).
- 3. To only process your personal data to the extent necessary for the purposes we have advised you about.
- 4. To keep your personal data accurate and kept up to date.
- 5. To keep our personal data only as long as necessary for the purposes we have told you about.
- 6. To keep your personal data secure.

# PERSONAL DATA THAT WE PROCESS

Personal data means any information about an individual from which that person can be identified. It does not include anonymous data where the identity has been removed.

There are "special categories" of more sensitive personal data which require a higher level of protection such as your ethnicity and whether you are a member of a trade union.

We will collect, store, and use the following categories of personal data about you:

Data Type	Legal Basis	System Stored	Retention
Title	Consent	Bamboo HR	6 months from end
Full Name	Legitimate	Microsoft 365	of recruitment
Telephone/Mobile	interest		process
Email			(if unsuccessful)
Post Code			6 months from end
Full Address			of recruitment
Date of Birth			process for
Current salary information			candidates who have
Nationality			given consent to be
Other information			considered for future
volunteered by candidates			opportunities
during recruitment			
Employment records	Legitimate	Bamboo HR	6 months from end
Interview/shortlisting	interest,	Microsoft 365	of recruitment
matrix	Performance of		process
Employment Permit	Contract,		(if unsuccessful)
References	Legal obligation,		
CV & Qualifications	Consent		
Education			
Cover Letter			
DBS			
Immunisation History			
Handwritten notes from			
recruitment process			
Professional Body			
Registration			
CCTV Footage (if attending	Legitimate	Foscam	6 weeks
premises for	Interest	Ezviz	
interview/visits)			

We may also collect, store, and use the following "special categories" of more sensitive personal information:

Data Type	Legal Basis	System Stored	Retention
Immunisation history	Article 6 lawful basis: (d) processing is necessary in order to protect the vital interests of the data subject or another natural person; and: (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller	BambooHR Microsoft 365	6 months from end of recruitment process (if unsuccessful)

	Article 9 GDPR lawful basis: (i) necessary for reasons of public interest in the area of public health	
Medical data which may prompt reasonable adjustments during recruitment and selection	Article 6 lawful basis: (c) processing is necessary for compliance with a legal obligation to which the MSG is subject	
	Article 9 lawful basis: (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised	

- Information about your health, including any medical condition, health and sickness records which may be relevant to your prospective employment with the company.
- Information about criminal convictions and offences.

#### **HOW WE COLLECT PERSONAL DATA**

We collect personal data about you through the recruitment process, either directly from you or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, professional or regulatory bodies, credit reference agencies or other background check agencies.

We may collect further personal data about you in the course of your potential employment.

# **HOW WE USE YOUR PERSONAL DATA**

We will only process your personal data if we have a lawful ground for processing such data. Most commonly, we will use your personal information in the following circumstances:

- 1. In order for us to process applications and offers of employment and to enter into employment contract negotiations with you.
- 2. Where we need to comply with a legal obligation.
- 3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- 4. Where you have given your consent for us to do so.

We may also use your personal data in the following situations, but these are not likely:

- 1. Where we need to protect your interests (or someone else's interests).
- 2. Where it is necessary for reasons of substantial public interest for official purposes.

## PURPOSES FOR WHICH WE PROCESS YOUR PERSONAL DATA

We will process your personal data for the following purposes:

- Making a decision about your recruitment or appointment.
- Checking you are legally entitled to work in Guernsey.

We may from time to time use your personal data without your knowledge or consent where this is required or permitted by law.

#### **HOW WE USE SENSITIVE DATA**

"Special categories" of sensitive personal data require higher levels of protection that nonsensitive data. To process such sensitive data, we need to have further justification. We may process special categories of personal data in the following circumstances:

- 1. In limited circumstances, with your explicit written consent.
- 2. Where we need to carry out our legal obligations or exercise rights in connection with employment.
- 3. Where it is needed in the substantial public interest.

Occasionally, we may process sensitive personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We will use your sensitive personal data in the following ways:

• In relation to your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **CRIMINAL CONVICTIONS**

We may only process data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations. Rarely, we may use your personal data relating to criminal convictions where necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

# **AUTOMATED DECISION-MAKING**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- 1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
- 2. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing in this position changes.

#### TRANSFERS TO THIRD PARTIES

In certain circumstances, we may need to share your data with other companies or individuals. We are very careful about the third parties with whom we share your data, and we ensure that we only share the minimum amount of information that is necessary. We also ensure that we have appropriate contracts in place to ensure third parties continue to protect your data, when they are processing it on our behalf.

### Service providers / external consultants

We sometimes need to share your data with certain third parties who provide service to us in relation to our recruitment process [such as external consultants who may form part of our shortlisting and interview process, and external companies who perform personality or values-based testing on our behalf], so that they can provide those services. These third parties process your data on our behalf, and we have strict contracts with them to ensure they process your data only on our instructions and with appropriate security in place.

We use the following types of service providers for all of the personal data we collect:

- Email and data storage providers such as Microsoft,
- Document storage providers such as Google Docs,
- Cloud providers such as AWS

If your data is shared with external consultants, you will be made aware of the names of those external parties so that any potential conflicts of interest may be considered and disclosed. Any information shared with external parties will be anonymized unless you give your explicit consent for your information to be shared in full.

### TRANSFERS OUTSIDE OF THE EEA

We may transfer your personal information outside the EEA. If we do, you can expect a similar degree of protection in respect of your personal information.

Where we transfer your personal data to countries where there is no adequacy decision by the European Commission in respect of that country, we will put in place certain measures to ensure that your personal data does receive an adequate level of protection, such as contractual clauses that have been approved by the European Commission.

### **DATA SECURITY**

We have put in place appropriate security measures to prevent your personal information from being accidently lost, used, or accessed in an unauthorised way, altered, or disclosed.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **DATA RETENTION**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and

whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once any recruitment process has concluded, we will retain (as per the retention periods defined in this notice) and securely destroy your personal information in accordance with applicable laws and regulations.

# RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

It is important that the personal data we hold about you is accurate and up to date. Please keep us informed if your personal information changes.

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate
  interest (or those of a third party) and there is something about your particular situation
  which makes you want to object to processing on this ground. You also have the right to
  object where we are processing your personal information for direct marketing
  purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct, or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact either People & Organisation or the current Data Protection Officer.

You will not have to pay a fee to access your personal data or to exercise any of the other rights under data protection laws. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

# **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email us at <a href="mailto:recruit@msg.gg">recruit@msg.gg</a>. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purpose you originally agreed to, unless we have another legitimate basis for doing so in law.

# **DATA PROTECTION OFFICER**

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any question about this privacy notice or how we handle your personal information, please contact the Data Protection Officer on <a href="mailto:privacy@msg.gg">privacy@msg.gg</a>.