

Privacy Notice for Job Applicants

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1. OVERVIEW

- 1.1. The Company takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you as part of our business and to manage our relationship with you. We intend to comply with our legal obligations under the **Data Protection Act 2018** (the '2018 Act') and the **EU General Data Protection Regulation** ('GDPR') in respect of data privacy and security. We have a duty to notify you of the information contained in this policy.
- 1.2. The Company is a "**data controller**" for the purposes of your personal data. This means that we are responsible for deciding how we hold and use personal information about you.
- 1.3. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. This document is not a contract of employment or a contract for services.
- 1.4. The Company has appointed Gary Allen as its Data Protection Officer ("DPO"). He is responsible for reviewing this policy and updating the Board of Directors on the Company's data protection responsibilities and any risks in relation to the processing of data. You should direct any questions in relation to this policy or data protection to the DPO in the first instance.

2. DATA PROTECTION PRINCIPLES

- 2.1. Personal Data must be processed in accordance with six '**Data Protection Principles**'. It must be:
 - 2.1.1. processed fairly, lawfully and in a transparent way;
 - 2.1.2. collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
 - 2.1.3. adequate and relevant to the purposes we have told you about and limited only to those purposes;
 - 2.1.4. accurate and kept up to date – any inaccurate data must be deleted or rectified without delay;
 - 2.1.5. kept only as long as necessary for the purposes we have told you about; and
 - 2.1.6. processed securely.
- 2.2. We are accountable for these principles and must be able to show that we are compliant.

3. HOW WE DEFINE PERSONAL DATA

- 3.1. '**Personal Data**' means information which relates to a living person who can be identified from that data (a '**data subject**') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.
- 3.2. This policy applies to all personal data whether it is stored electronically, on paper or on other materials.
- 3.3. In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- 3.3.1. The information you have provided to us in your curriculum vitae and covering letter;
- 3.3.2. The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history and qualifications;
- 3.3.3. Any information you provide to us during an interview;

4. **HOW WE DEFINE SPECIAL CATEGORIES OF PERSONAL DATA**

- 4.1. **'Special categories of personal data'** are types of personal data consisting of information as to:
 - 4.1.1. your racial or ethnic origin;
 - 4.1.2. your political opinions;
 - 4.1.3. your religious or philosophical beliefs;
 - 4.1.4. your genetic or biometric data;
 - 4.1.5. your health, including any medical condition, health and sickness records;
 - 4.1.6. your sex life and sexual orientation; and
 - 4.1.7. any criminal convictions and offences.

We may hold and use any of these special categories of your personal data in accordance with the law.

5. **HOW WE DEFINE PROCESSING**

- 5.1. **'Processing'** means any operation which is performed on personal data such as:
 - 5.1.1. collection, recording, organisation, structuring or storage;
 - 5.1.2. adaption or alteration;
 - 5.1.3. retrieval, consultation or use;
 - 5.1.4. disclosure by transmission, dissemination or otherwise making available;
 - 5.1.5. alignment or combination; and
 - 5.1.6. restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

6. **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

- 6.1 We collect personal information about candidates from the following sources:
 - 6.1.1 You, the candidate.
 - 6.1.2 Recruitment consultants and/or agencies.
 - 6.1.3 Your named referees, from whom we collect the following categories of data: previous employment history; disciplinary records; and sickness records.

6.1.4 LinkedIn (a publicly accessible source).

7. HOW WILL WE PROCESS YOUR PERSONAL DATA?

7.1. We will use your personal data when:

7.1.1. deciding whether to enter into a contract of employment or services with you;

7.1.2. it is in our legitimate interests to decide whether to appoint you to the role since it would be beneficial to our business to appoint someone to that role; or

7.1.3. complying with any legal obligation.

7.2. We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

7.3. If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

8. EXAMPLES OF WHEN WE MIGHT PROCESS YOUR PERSONAL DATA

8.1. We will use the personal information we collect about you to (and see paragraph 9 below for the meaning of the asterisks):

8.1.1. Assess your skills, qualifications, and suitability for the work.

8.1.2. Communicate with you about the recruitment process.

8.1.3. Keep records related to our hiring processes.

8.1.4. Comply with legal or regulatory requirements.

8.1.5. Consider whether we need to provide appropriate adjustments during the recruitment process because of a disability for example, whether adjustments need to be made during an interview.*

8.2. Having received your CV and covering letter, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information you provide to us at the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references before confirming your appointment.

9. SPECIAL CATEGORIES OF DATA

9.1. Special categories of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

9.2. We will only process special categories of your personal data (see asterisks above in paragraph 8.1) in certain situations in accordance with the law.

9.3. We are able to process special categories of your personal data when we are processing it for the following purposes, which we may do:

- 9.3.1. where it is necessary for carrying out rights and obligations under employment law;
 - 9.3.2. where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;
 - 9.3.3. where you have made the data public;
 - 9.3.4. where processing is necessary for the establishment, exercise or defence of legal claims;
 - 9.3.5. where it is needed in the public interest, such as for equal opportunities monitoring;
- 9.4. If one of the above conditions (in paragraph 9.3) does not apply then we are able to process special category data if we have your explicit consent. If we asked for your consent to process a special category of personal data then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the DPO

10. **CRIMINAL CONVICTIONS**

- 10.1. We do not envisage that we will process information about criminal convictions.

11. **AUTOMATED DECISION-MAKING**

- 11.1. We do not take automated decisions about you using your personal data or use profiling in relation to you.

12. **SHARING YOUR PERSONAL DATA**

- 12.1. We will not share your data with any third party apart from a recruitment agent during the recruitment process.

13. **DATA SECURITY**

- 13.1. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the DPO.
- 13.2. 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 material breach where we are legally required to do so.

14. **DATA RETENTION**

- 14.1. We will retain your personal information for a period of 6 months after we have communicated to you our decision about whether to appoint you to the role. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy. If you would like a copy of this policy please contact HR.
- 14.2. If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

15. YOUR DATA SUBJECT RIGHTS

15.1. You have the following rights, the right to:

- 15.1.1. Information about what personal data we process, how and on what basis as set out in this policy.
- 15.1.2. Access your own personal data by way of a subject access request. Please contact the DPO for further information.
- 15.1.3. Correct any inaccuracies in your personal data. To do so you should contact the DPO.
- 15.1.4. Request that we erase your personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. To do so you should contact the DPO. While you are requesting that your personal data is corrected or erased or are contesting the lawfulness of our processing, you can apply for its use to be restricted while the application is made. To do so you should contact the DPO.
- 15.1.5. Object to data processing where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop.
- 15.1.6. Object if we process your personal data for the purposes of direct marketing.
- 15.1.7. Receive a copy of your personal data and to transfer your personal data to another data controller. We will not charge for this and will in most cases aim to do this within one month.
- 15.1.8. With some exceptions, you have the right not to be subjected to automated decision-making.
- 15.1.9. Be notified of a material data security breach concerning your personal data.
- 15.1.10. Complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has further information on your rights and our obligations.

15.2. In most situations we will not rely on your consent as a lawful ground to process your data. If we do however request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the DPO.