

PRIVACY NOTICE
FOR JOB APPLICANTS
2019

WHAT IS THE PURPOSE OF THIS DOCUMENT?

We are committed to protecting the privacy and security of your personal information. We want you to be confident that your information will be properly protected whilst in our possession.

This privacy notice describes how we, and carefully selected parties we work with, will collect and use personal information about you.

We are a data “controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

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 and selection exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

If you have any questions about our use of your personal information, or you wish to exercise one of your rights under data protection legislation, please contact us. A summary of your rights is detailed in this notice.

THE KIND OF INFORMATION WE HOLD ABOUT YOU

In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae and covering letter.
- The information you have provided on our application form, including name, title, address, telephone number, email address, date of birth, gender, employment history, qualifications, marital status, education establishments, hobbies and interests, skills and competencies.
- Any information you provide to us during the interview and any other selection process, which may include psychometric test scores and personality profiles depending on the role for which you are applying.
- The information provided by third parties as part of the referencing and back ground checking process, including DBS checks and record, credit checks and references, references from your current and previous employers and/or educational establishments, SRA or other professional or governing body’s records about you including any disciplinary hearings or sanctions.
- Information provided by you as part of the referencing and background checking process such as your passport, birth certificate and utility bills to verify your identity and your right to work in the UK.

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

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions for equality and diversity monitoring purposes.

- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect and provide personal information about candidates for certain functions and in limited circumstances from and to the following parties:

- You, the candidate.
- Recruitment agencies and executive search consultancies that have confirmed they have your express permission to send your CV to us, from which we may collect the following categories of data: name, telephone number, email address, home address, education history and qualifications, work experience and history, skills and competencies, evidence of your right to work in the UK, employment status and any other information you have provided to the agency in support of your application.
- Our outsourced background checking provider, from which we collect the following categories of data: verification of your identity and your right to work in the UK, verification of the data disclosed in your CV (education, qualifications, professional bodies, employment history), Disclosure and Barring Service in respect of criminal convictions, credit check and reports relating to any adverse credit history.
- Your named referees, from whom we or our outsourced background checking provider collect the following categories of data: job title, start date, salary, duties and responsibilities, strengths, weaknesses, honesty and integrity, reason for leaving, absence data, disciplinary record, claims and complaints history.
- Our outsourced applicant tracking system and psychometric test providers
- Other sources depending on the job role for which you have applied but may include publicly accessible information, such as LinkedIn, Facebook and other social media websites, jobs boards.
- Regulatory bodies relevant to your profession for example Solicitors Regulatory Authority, ICAEW, CIM, CIPD, JIEB.
- If you have indicated to us that you have a health issue which impacts on your working environment then we will contact our occupational health providers, currently Occupational Health Consultancy Ltd and they will assess whether any reasonable adjustments need to be made to your role or working environment.
- Other third parties where we have a legitimate reason to share it.
- Courts and tribunals where necessary to establish or defend a legal claim.

HOW WE WILL USE INFORMATION ABOUT YOU

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements, including any requirement to make reasonable adjustments to your role or working environment.

It is in our legitimate interests to decide whether to appoint you to a role since it would be beneficial to our business to appoint someone to that role. We also need to process your personal information to decide whether to enter into a contract of employment or services with you.

If we decide to offer you the role, we or our outsourced reference and back ground checking provider will then take up references **AND** carry out a criminal record **AND** carry out a right to work check **AND** carry out a credit check before confirming your appointment.

If you fail to provide personal information

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 references for the particular role and you fail to provide us with relevant details, we will not be able to take your application further.

Also, any offer made to you may be conditional upon you providing evidence of your identity and your right of work in the UK. This is a legal requirement. If you fail to provide this information we may not be able to offer you employment.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

We will use your particularly sensitive personal information in the following ways:

- We will use information about a disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview. We have a legal obligation to make reasonable adjustments in certain circumstances.
- We may ask you for information regarding your health to establish whether you will be able to carry out a function that is intrinsic to the work concerned, pursuant to the Equality Act 2010.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are required and/or entitled to carry out a criminal records check, depending on the role for which you are applying, in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role. In particular:

Our structured vetting process ensures that we meet the undertakings given to the Solicitors Regulation Authority (SRA) for reducing the threat of criminal activity and enhancing client protection.

We are required by SRA to carry out a basic criminal records check for all employees. In addition, staff performing a role involving interaction with children or vulnerable adults are required to have an enhanced DBS check.

We will always seek your consent prior to obtaining these background checks.

A basic certificate will contain details of convictions and cautions from the Police National Computer (PNC) that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974.

An enhanced level certificate contains the same PNC information as the standard level certificate but also includes a check of information held by police forces.

AUTOMATED DECISION-MAKING

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

DATA SHARING

Why might you share my personal information with third parties during the recruitment and selection process?

We will only share your personal information with third parties set out above for the purposes of processing your application. All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes associated with your application for employment with us and in accordance with our instructions.

DATA SECURITY

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.

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

How long will you use my information for?

We will retain your personal information for a period of 12 months after we have communicated to you our decision about whether to appoint you to a 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 and applicable laws and regulations.

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 seek your explicit consent to retain your personal information for a fixed period on that basis.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with personal information

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 Liz Cheaney, HR Director in writing.

RIGHT TO WITHDRAW CONSENT

When you applied for a role with us, you consented to us processing your personal information for the purposes of the recruitment exercise. You have the right to withdraw your consent for processing for that purpose at any time, if you no longer wish for us to involve you in the recruitment process. To withdraw your consent, please contact Brandon Du'chesne, Recruitment Manager in writing (email is sufficient). Once we have received notification that you have withdrawn your consent, we will no longer process your application and, subject to our retention policy, we will dispose of your personal data securely.

DATA PROTECTION OFFICER

We have appointed a data representative to oversee compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your personal information, please contact the data representative here Cathy Kirby, Technology Director.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.
