

IT, Social Media & Data Protection Applicant Privacy Notice

Contents

The Purpose of this Document	2
About Us	2
Protection Principles	2
Collecting your data	2
Types of Data Held	3
Special Categories of data and Information about Criminal Convictions	3
Lawful basis for processing	4
Failure to provide data.....	4
Who we share your data with.....	4
Protection of your data.....	5
Retention periods	5
Your Privacy rights	5
Making a complaint	6

The Purpose of this Document

We take your privacy seriously. You can find out more here about your privacy rights and how we gather, use and share personal data about you during the employment application process in accordance with the UK General Data Protection Regulation and Data Protection Act 2018 (the Data Laws).

It is important that you read this notice, so that you are aware of how and why we are using such information. Our Data Protection Officer is responsible for the maintenance and updating of this notice.

About Us

This privacy notice applies to all companies within the Samworth Brothers Group of companies and all businesses operated by those companies. For ease of reference all such companies and businesses are referred to in the Privacy Notice as 'the company'.

The particular company within the Group which engages with you is known as a "data controller". The data controller holds and uses personal data relating to workers who attend our sites or businesses to carry out work or services on our behalf.

Protection Principles

Under the Data Laws, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- Processing is fair, lawful and transparent
- Data is collected for specific, explicit, and legitimate purposes
- Data is collected is adequate, relevant and limited to what is necessary for the purposes of processing
- Data is kept accurate and up to date. Data which is found to inaccurate will be rectified or erased without delay
- Data is not kept for longer than is necessary for its given purpose
- Data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- We comply with the relevant GDPR procedures for international transferring of personal data

Collecting your data

You provide several pieces of data to us directly during the recruitment exercise.

In some cases, we will collect data about you from third parties, such as employment agencies, former colleagues when gathering references or credit reference agencies.

Should you be successful in your job application, we will gather further information from you, for example your bank details and next of kin details, once your employment begins. Your details will remain on the system as per the retention periods below.

Types of Data Held

We keep several categories of personal data about you in order to carry out effective and efficient processes. We keep your data in recruitment files relating to each vacancy and we also hold your data within our computer systems.

Specifically, we hold the following types of data:

- Your name and contact details (e.g. address, home and mobile phone numbers, email address);
- Your curriculum vitae/resume;
- Details of your qualifications, experience, employment history (including job titles and salary); and
- Your eligibility to work in the United Kingdom.

We will not be able to process your application without this information.

If we decide to invite you to attend an interview or after we have made a conditional job offer, we may need to collect the following personal information about you to allow us to make the necessary interview arrangements and/or make our final decision as to whether to recruit you:

- Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information;
- Copies of documents containing your name, address and date of birth to enable us to verify your identity;
- A copy of your driving licence if relevant for your role, to confirm you may legally drive;
- Information about your previous academic and/or employment history from references obtained about you from previous employers and/or education providers;
- Information regarding your academic and (where relevant) professional qualifications; and
- Information regarding your unspent criminal convictions obtained through a relevant Disclosure and Barring Service (DBS) check.

We are under a statutory obligation to collect information from you regarding your nationality and immigration status and information from related documents, and a copy of your driving licence for the purposes explained above.

If your application is successful, we will use the information provided above to the extent necessary to administer your employment. Further details about how we will process your personal information pursuant to your employment will be provided in our Employee Privacy Policy.

We will not carry out any solely automated decision making using your personal information during the application process.

Special Categories of data and Information about Criminal Convictions

We may use your particularly sensitive personal information (known as special categories of personal data) in the following ways:

- We may use information about your race or national or ethnic origin, religious beliefs, or sexual orientation to ensure meaningful equal opportunity monitoring and reporting; and
- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process or if you are subsequently offered employment with us.

Where we use such special categories of personal data, we are processing on the basis of it being necessary for the purposes of carrying out our obligations and exercising specific rights as an employer.

We will use information about your unspent your criminal convictions to assess whether your employment could pose an unacceptable risk to the company, its customers or its employees/workers. We will only use information relating to criminal convictions where the law allows us to do so. This data will usually be collected at the recruitment stage, however, may also be collected during your employment.

Lawful basis for processing

The law on data protection allows us to process your data for certain reasons only.

The information below categorises the types of data processing we undertake and the lawful basis we rely on.

Activity requiring your data	Lawful basis
Carrying out checks in relation to your right to work in the UK	Legal obligation
Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions in relation to both initial and subsequent employment e.g. promotion	Our legitimate interests
Making decisions about salary and other benefits	Our legitimate interests
Making decisions about contractual benefits to provide you	Our legitimate interests
Assessing training needs	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

Failure to provide data

Your failure to provide us with data may mean that we are unable to fulfil our requirements for entering into a contract of employment with you. This could include being unable to offer you employment or administer contractual benefits.

Who we share your data with

Colleagues within our company who have responsibility for recruitment will have access to your data which is relevant to their function. All colleagues with such responsibility have been trained in ensuring data is processed in line with the Data Laws.

Data is shared with third parties for the following reason:

We use an **Applicant Tracking System** to operate our online application system and to produce anonymised management information.

Thomas International provide online testing for us. If we ask you to complete one of its tests, we'll send you a link to the test.

We may also share your data with third parties such as part of a company sale or restructure, or for other reasons to comply with a legal obligation upon us. We have a data processing agreements in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We do not share your data with bodies outside the European Economic Area.

Protection of your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction or abuse. We have implemented processes to guard against such.

We take the security and confidentiality of your personal information very seriously. We will use strict procedures and security features aimed at preventing your personal information from being accidentally lost, used or accessed in an unauthorised way. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to us; any transmission is at your own risk.

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

Retention periods

We only keep your data for as long as we need it for, which, in relation to unsuccessful candidates, is twelve months. We will only extend this period in the event you have a live application extending after the twelve month period has expired.

If your application is not successful and we have not sought consent or you have not provided consent upon our request to keep your data for the purpose of future suitable job vacancies, we will keep your data for twelve months once the recruitment exercise ends.

Should you be successful in your job application, your details will remain on the system so that you may continue to receive job alerts which you can update your preferences at any time, including the option to have your details anonymised.

At the end of this period, we will anonymise your data to remove any personal identifiable information, unless you have already withdrawn your consent to our processing of your data in which case it will be deleted or destroyed upon your withdrawal of consent.

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data and there will be no consequences of withdrawing consent.

If your application is successful, your data will be kept and transferred to the systems we administer for employees. We have a separate privacy notice for employees, which will be provided to you.

Your Privacy rights

You have the following rights in relation to the personal data we hold on you: If you wish to exercise any of these rights, please put your request in writing to the Resourcing Team or the hiring manager at the business where you are applying for employment. You can also exercise your rights by emailing dpo@samworthbrothers.co.uk.

- The right to be informed about the data we hold on you and what we do with it;

- The right of access to the data we hold on you and all such requests will be dealt with accordingly;
- The right for inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as ‘rectification’;
- The right to have data deleted in some circumstances. This is also known as ‘erasure’;
- The right to restrict the processing of the data;
- The right to transfer the data we hold on you to another party. This is also known as ‘portability’;
- The right to object to the inclusion of any information;
- The right to regulate any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that we will stop processing the that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact

dpo@samworthbrothers.co.uk.

Making a complaint

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone 0303 123 1113.