

## GDPR PRIVACY NOTICE FOR JOB APPLICANTS

### 1. Introduction

- 1.1. Simpson Associates Information Services Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.
- 1.2. 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. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) and all applicable regulations, domestic legislation, successor legislation relating to the protection of individuals with regards to the processing of personal data to which the Company and any Group Company is subject to (GDPR).

### 2. Data protection principles

- 2.1. We will comply with data protection law and principles, which means that your data will be:
  - 2.1.1. Used lawfully, fairly and in a transparent way.
  - 2.1.2. Collected only for valid purpose that we have clearly explained to you and not used in any way that is incompatible with these purposes.
  - 2.1.3. Relevant to the purposes we have told you about and limited only to those purposes.
  - 2.1.4. Accurate and kept up to date.
  - 2.1.5. Kept only as long as necessary for the purposes we have told you about.
  - 2.1.6. Kept securely.

### 3. The kind of information we hold about you

- 3.1. In connection with your application for work with us, we will collect, store, and use ("process") the following categories of personal information about you:
  - 3.1.1. The information you have provided to us in your curriculum vitae and covering letter.

- 3.1.2. The information you have provided on our application form, including name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications, skills, experience and employment history.
- 3.1.3. Any information you have provided about your current level of remuneration or employment benefits.
- 3.1.4. Any information you have provided relevant to requesting that we make reasonable adjustments during the recruitment process, including whether or not you have a disability.
- 3.1.5. Any information about your entitlement to work in the UK.
- 3.1.6. Any information you provide to us during an interview.
- 3.1.7. Any information we collect as part of the application process, such as test results.
- 3.2. We may also collect, store and use the following "special categories" of more sensitive personal information:
  - 3.2.1. Information about your health, including any medical condition, health and sickness records.
  - 3.2.2. Information about criminal convictions and offences.

#### **4. How your personal information is collected**

- 4.1. We collect personal information about job applicants from a variety of sources including but not limited to recruitment agencies and the Company's website. This information may be supplied by you in application forms or CVs, contained in your passport or identity documents, or collected through interviews and other forms of assessment including online assessment.

We will also collect personal data about you from third parties:

- 4.1.1. Your named referees, from whom we collect the following categories of data: confirmation of personal details and past employment.
- 4.1.2. Social Media sites including but not limited to LinkedIn and Google or similar search engines.

#### **5. Why we process your personal data**

- 5.1. We need to process data to take steps at your request prior to entering into a contract with you. We also need to process your data to enter into any contract with you.

- 5.2. In some cases, we need to process data to ensure that we are complying with legal obligations. For example, it is required to check a successful applicant's eligibility to work in the UK before employment starts.
- 5.3. We have a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. Processing data from job applicants allows the organisation to manage the recruitment process, assess and confirm a candidate's suitability for employment and decide to whom to offer a job. We may also need to process data from job applicants to respond to and defend against legal claims.
- 5.4. Where we rely on legitimate interests as a reason for processing data, we have considered whether or not those interests are overridden by the rights and freedoms of employees or workers and has concluded that they are not.
- 5.5. We process health information if we need to make reasonable adjustments to the recruitment process for candidates who have a disability. This is to carry out our obligations and exercise specific rights in relation to employment.
- 5.6. For some roles, we may be obliged to seek information about criminal convictions and offences. Where we seek this information, we do so because it is necessary to carry out our obligations and exercise specific rights in relation to employment.
- 5.7. If your application is unsuccessful, the organisation will keep your personal data on file for no more than 18 months following the end of the recruitment process in order we can address any potential legal challenge to the recruitment process/decisions made.
- 5.8. With your express consent in writing we may retain your personal data longer than the period set out in 5.7 in case there are future employment opportunities for which you may be suited. You are free to withdraw your consent at any time.

## **6. Who has access to your personal information**

- 6.1. Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the HR and recruitment team, interviewers involved in the recruitment process, managers in the business area with a vacancy and IT staff if access to the data is necessary for the performance of their roles.
- 6.2. The organisation will not share your data with third parties, unless your application for employment is successful and it makes you an offer of employment. The organisation will then share your data with former employers to obtain references for you.
- 6.3. The organisation will not transfer your data outside the European Economic Area.

## **7. If you fail to provide personal information**

- 7.1. 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. Information about criminal convictions**

- 8.1. We do not envisage that we will process information about criminal convictions.
- 8.2. We may 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 entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes you unsuitable for the role.
- 8.3. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

## **9. Data security**

- 9.1. 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 Compliance Officer.
- 9.2. 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 breach where we are legally required to do so.

## **10. How long we will retain and process your personal information**

- 10.1. If your application for employment is unsuccessful, we will hold your data on file for 18 months after the end of the relevant recruitment process. At the end of that period your data is deleted or destroyed unless you have provided consent to us to retain your personal data for future recruitment opportunities.
- 10.2. If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held

will be provided to you in a new privacy notice at the time of your appointment.

## **11. Rights of access, correction, erasure, and restriction**

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

11.1.1. 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.

11.1.2. 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.

11.1.3. 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).

11.1.4. 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.

11.1.5. 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.

11.1.6. Request the transfer of your personal information to another party.

11.2. If you want to exercise any of these rights please contact the Compliance Officer in writing.

## **12. Withdrawing your consent for us to process your personal information**

12.1. 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 contact the Compliance Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the

purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law, and as notified to you in this privacy notice.

**13. Queries or complaints about how we process your personal information**

- 13.1. If you have any questions about this privacy notice or how we handle your personal information, please contact the Compliance Officer in writing.
- 13.2. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulatory authority for data protection issues.

I, \_\_\_\_\_ (candidate name), acknowledge that on \_\_\_\_\_ (date), I received a copy of Simpson Associates' Candidate Privacy Notice and that I have read and understood it.

Signature

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Name

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