

## ***Introduction***

As part of any recruitment process, the Company collects and processes personal information, or personal data, relating to job applicants. This personal information may be held by the Company on paper or in electronic format.

The Company is committed to being transparent about how it handles your personal information, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018. The purpose of this privacy notice is to make you aware of how and why we will collect and use your personal information during the recruitment process.. We are required under the GDPR to notify you of the information contained in this privacy notice.

With effect 25<sup>th</sup> May 2018 this privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency or other recommendation.

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn’t include anonymised data, i.e. where all identifying particulars have been removed. There are also “special categories” of personal information and personal information on criminal convictions and offences, which require a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

## ***What types of personal information do we collect about you?***

The Company collects, uses and processes a range of personal information about you during the recruitment process. This includes:

- your contact details including your name, your address, telephone number and personal e-mail address
- personal information included in a CV or application form, cover letter, interview notes,
- references, copies of proof of right to work in the UK documentation, copies of qualification certificates, copy of driving licence and other background check documentation
- information about your skills, qualifications, experience and work history with previous employers including salary, entitlement to benefits and pension information

The Company may also collect, use and process the following special categories of your personal information:

- whether you have a disability for which the Company needs to make reasonable adjustments during the recruitment process
- information about criminal convictions and offences

## ***How do we collect your personal information?***

The Company collects personal information about you during the recruitment process either directly from you or sometimes from a third party such as an employment agency. We may also collect personal information from other external third parties, such as references from former employers, information from background check providers, information from credit reference agencies and criminal record checks from the Disclosure and Barring Service (DBS). Other than employment agencies, the Company will only seek personal information from third parties during the recruitment process once an offer of employment or engagement has been made to you.

Your personal information may be stored in paper and electronic format and in different places, including in the Company’s HR systems and other IT systems such as the e-mail system.

### ***Why and how do we use your personal information?***

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to enter into an employment contract, casual worker agreement, consultancy agreement or contract for services with you
- where we need to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.

We may also occasionally use your personal information where we need to protect your vital interests (or someone else's vital interests).

Our legitimate interests include: pursuing our business by employing employees, workers and contractors; managing the recruitment process; conducting due diligence on prospective staff and performing effective internal administration. We believe that you have a reasonable expectation, as a job applicant that we will process your personal information.

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

### ***What if you fail to provide personal information?***

You are under no statutory or contractual obligation to provide personal information to the Company during the recruitment process.

If you fail to provide certain personal information when requested or required, we may not be able to process your job application properly or at all, we may not be able to enter into a contract with you, or we may be prevented from complying with our legal obligations. You may also be unable to exercise your statutory or contractual rights.

### ***Why and how do we use your sensitive personal information?***

We will only collect and use your sensitive personal information, which includes special categories of personal information and information about criminal convictions and offences, when the law allows us to.

Some special categories of personal information, i.e. information about your health or medical conditions and information about criminal convictions and offences, is processed so that we can perform or exercise our obligations or rights under employment law or social security law and in line with our data protection policy.

We may also process these special categories of personal information, and information about any criminal convictions and offences, where we have your explicit written consent. In this case, we will first provide you with full details of the personal information we would like and the reason we need it, so that you can properly consider whether you wish to consent or not. It is entirely your choice whether to consent. Your consent can be withdrawn at any time.

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

### ***Change of purpose***

We will only use your personal information for the purposes for which we collected it i.e. for the recruitment

exercise for which you have applied. If your job application is unsuccessful, the Company may wish to keep your personal information on file for in case there are future suitable employment opportunities with us. If we do this we will ask for your consent to do so and you may withdraw your consent at any time.

### ***Who has access to your personal information?***

Your personal information may be shared internally within the Company, for the purposes of the recruitment exercise, including with members of HR and other staff involved in the recruitment process and IT staff if access to your personal information is necessary for the performance of their roles.

The Company will not share your personal information with third-parties during the recruitment process unless your job application is successful and we make you an offer of employment or engagement. At that stage we may also share your personal information with third party service providers (and their designated agents), including:

- external organisations for the purposes of conducting pre-employment reference and employment background checks (including the DBS to obtain a criminal record check)
- former employers to obtain references
- professional advisers, such as lawyers

We may also need to share your personal information with a regulator or to otherwise comply with the law.

We may share your personal information with third parties where it is necessary to enter into a contract with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

### ***How does the Company protect your personal information?***

The Company has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those employees, workers, agents, contractors and other third parties who have a business need to know in order to perform their job duties and responsibilities.

Where your personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process your personal information for specified purposes and in accordance with our written instructions and we do not allow them to use your personal information for their own purposes.

The Company also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and you of a suspected breach where we are legally required to do so.

### ***For how long does the Company keep your personal information?***

The Company will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed. If your application is unsuccessful, the Company will generally hold your personal information for six months after the end of the relevant recruitment exercise but this is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of personal information for up to six years to protect against legal risk, e.g. if they could be relevant to a possible legal claim in a tribunal, County Court or High Court.

If your application is successful, personal information gathered during the recruitment process will be retained in accordance with the privacy notice for employees. Personal information which is no longer to be retained will be

securely and effectively destroyed or erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

If we anonymise your personal information so that it no longer permits your identification we may retain such information for a longer period.

### ***Your rights in connection with your personal information***

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information - this is usually known as making a data subject access request
- request rectification of your personal information
- request the erasure of your personal information
- restrict or object to the processing of your personal information -
- data portability
- complain to the Information Commissioner's Office (ICO) if you believe the Company has not complied with your data protection rights.

If you wish to exercise any of these rights, please contact our HR Department. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact HR Department. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

### ***Transferring personal information outside the European Economic Area***

The Company will not transfer your personal information to countries outside the European Economic Area.

### ***Automated decision making***

Automated decision making occurs when an electronic system uses your personal information to make a decision without human intervention. We do not envisage that any employment decisions will be taken about you based solely on automated decision making, including profiling but we will notify you in writing if this position changes.

### ***Changes to this privacy notice***

The Company reserves the right to update or amend this privacy notice at any time. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

### ***Contact***

If you have any questions about this privacy notice or about how we handle your personal information, please contact HR Department at [hr@brokerdirect.co.uk](mailto:hr@brokerdirect.co.uk) or by post to HR Department, Broker Direct Plc, Deakins Park, Deakins Mill Way, Bolton BL7 9RW.