



PRIVACY NOTICE FOR JOB APPLICANTS

Introduction

This notice explains how we use personal information about you which we collect as prospective employees of the company, in accordance with the General Data Protection Regulation (GDPR).

The Data Protection Principles

We are a data controller as defined by the GDPR. This means that we are responsible for deciding how we hold and use personal information about you.

The GDPR requires that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you, and not used in a way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The Kind of Information We Hold About You

Personal data means any information about an individual which allows that individual to be identified.

We keep several categories of personal data on our prospective employees in order to carry out effective and efficient processes. We keep this data in recruitment files relating to each

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vacancy and we also hold the data within our computer systems for example recruitment logs.

We collect, store and use the following categories of personal data;

- Personal contact details such as name, title, addresses, telephone numbers and personal email addresses
- Dates of birth
- Gender
- Marital status and dependents
- Next of kin and emergency contact information
- National Insurance Numbers
- Copy driving licences
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Employment records, including job titles, work history, working hours, training records and membership of professional bodies
- Details of your education
Photographs.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

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Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Assessing training needs
- Dealing with legal claims made against us.
- Preventing fraud
- Making reasonable adjustments for disabled employees

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (this could mean being unable to offer you employment or administer contractual benefits), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or

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consent, in compliance with the above rules, where this is required or permitted by law.

Special Categories of Information

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

- Information about your race or ethnicity-
- Information about your health, including any medical condition, health and sickness records.
- Biometric data.
- Information about criminal convictions and offences.

How We Use Particularly Sensitive Information

Special categories of particularly sensitive information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information as follows;

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations and in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring, or in relation to our occupational pension scheme, and in line with our data protection policy.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

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Our Obligations as an Employer with Respect to Sensitive Information.

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

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits.
- We will use information about your race or national or ethnic origin, to ensure meaningful equal opportunity monitoring or reporting.

How is your Personal Information Collected?

We typically collect personal information about employees, workers and contractors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider.

Do we Need your Consent?

We do not need your consent if we use personal information, including special categories of personal information, to carry out our legal obligations or to exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your employment that you have to consent to any request that we make.

Information About Criminal Convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and in accordance with the GDPR.

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Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision making, unless we have a lawful basis for doing so and we have notified you.

Data Sharing

Do We Share Data with Third Parties?

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and treat it in accordance with the law. If we do share data, you are entitled to expect that third party to apply a similar level of protection in respect of your personal information.

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Why Might you Share my Personal Information with Third Parties?

We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

Which Third Party Service Providers Process my Personal Information?

'Third parties' includes contractors and agents who may carry out services on our behalf such as payroll, pension administration, benefits provision and administration and IT services.

How Secure is my Information with Third Party Service Providers?

All our third party service providers are required to take appropriate security measures to protect your personal information. 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 and in accordance with our instructions.

What about other Third Parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Data Security

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions. We will ensure that they agree to treat your information as confidential and keep it secure.

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 and 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

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only process your information on our instructions and they are subject to a duty of confidentiality.

Data Retention

How long will we keep your information?

We will only retain your personal information for as long as necessary to fulfil the purposes we collect it for, including for the purposes of satisfying any legal, insurance, accounting or reporting requirements.

In relation to unsuccessful applicants this is six months from when the recruitment exercise ends. If we have sought your consent to keep your data on file for future job vacancies we will keep your data for nine months once the recruitment exercises ends. At the end of this period we will delete or destroy your data 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 anytime. 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.

Rights of Access, Correction, Erasure and Restriction

Your Duty to Inform us of Changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during the recruitment process. .

Your rights in connection with personal information.

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

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- **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 your 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.
- **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.
- **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 or 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 Sally Owen Accounts/Administration Team Leader in writing.

No Fee is usually Required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

Right to Withdraw Consent

In the limited circumstances where you 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 Accounts/Administration Team Leader or email on gdpr@giltbrookcleaners.co.uk . Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or

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purposes you originally agree to, unless we have another legitimate basis for doing so in law.

Data Breaches

We are required under the GDPR to notify you without undue delay of any data breach which is likely to result in a high risk to your rights and freedoms.

Your Right to Complain

If you have a complaint about the way in which your data has been handled please contact the Accounts/Administration Team Leader or email on gdpr@giltbrookcleaners.co.uk . You also have the right, in certain circumstances, to report concerns about data management to the Information Commissioner’s Office and information is available at www.ico.org.uk.

Data Protection Officer

We have appointed a data protection officer 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 protection officer. The data protection officer is **Sally Owen** Accounts/Administration Team Leader.

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