

the **calico** group

General Data Protection Regulation

Privacy Notice for Job Applicant

Information:

GDPR makes it clear that controllers should ensure where information is given out to data subjects at the time data is collected this must be done in a: concise/ transparent/easily accessible format/using plain language. You should use this model privacy notice to give job applicants information about how their personal data will be processed.

The model privacy notice is a good starting point but will of course need to be tailored to your business and pre-supposes you have already conducted a business wide data audit. A separate model privacy notice is available to cover the processing of employees/ workers/ contractors' personal data.

GDPR Privacy Policy for Job Applicants

Introduction

- 1.1 The Calico Group 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 provides you with information about how and why your personal data will be used for the purposes of the recruitment exercise, and how long it will usually be retained for. We are required to provide you this information under the General Data Protection Regulation (EU 2016/679) (GDPR) 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.

Data protection principles

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

The kind of information we hold about you

- 1.4 In connection with your application for work with us, we will collect, store, and use the following categories of personal information about you:
 - 1.4.1 The information you have provided to us in your curriculum vitae and covering letter.
 - 1.4.2 The information you have provided on our application form, including your name, title, address, telephone number, personal email address, date of birth, gender, employment history, qualifications, skills, experience and employment history.
 - 1.4.3 Any information you have provided about your current level of remuneration or employment benefits.
 - 1.4.4 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.
 - 1.4.5 Any information about your entitlement to work in the UK.
 - 1.4.6 Any information you provide to us during an interview.
 - 1.4.7 Results of assessments including but not limited to; strengths, psychometric testing and in tray exercises.

- 1.5 We may also collect, store and use the following "special categories" of personal data:
 - 1.5.1 Information about your race or ethnicity, religious beliefs and sexual orientation.
 - 1.5.2 Information about your health, including any medical condition, health and sickness records.
 - 1.5.3 Information about criminal convictions and offences.
 - 1.5.4 Driver checks including; MOT, tax, insurance and driver licences.

How your personal information is collected

- 1.6 We collect personal information about job applicants from a variety of sources. 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:
 - 1.6.1 Disclosure and Barring Service in respect of criminal convictions (where applicable to the job role);
 - 1.6.2 Your named referees, from whom we collect the following categories of data: employment dates, job title, reason for leaving, conduct during employment and capability to perform the role.

Why we process your personal data

- 1.7 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 a contract of employment with you if you are successful in the recruitment process.
- 1.8 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.
- 1.9 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 make a decision on whom to offer the job to. We may also need to process data from job applicants to respond to and defend against legal claims arising from the recruitment process and provide feedback to the applicant on the outcome of the recruitment process.
- 1.10 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 the applicants and have concluded that they are not.
- 1.11 We process health information if we need to make reasonable adjustments to the recruitment process for applicants with a disability. This is to carry out our obligations and exercise specific rights in relation to employment.
- 1.12 Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes
- 1.13 For some roles, we are obliged to obtain 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.
- 1.14 We will not use your data for any purpose other than the recruitment exercise for which you have applied
- 1.15 If your application is unsuccessful, we will keep your personal data on file for up to 6 months in case there are future employment opportunities for which you may be suited.

Who will have access to your personal data?

- 1.16 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.

- 1.17 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, employment background check providers to obtain necessary background checks and the Disclosure and Barring Service to obtain necessary criminal records checks.
- 1.18 The organisation will not transfer your data outside the European Economic Area.

If you fail to provide personal information

- 1.19 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.

Information about criminal convictions

- 1.20 We will process information about criminal convictions for some of our roles dependent upon the nature of the role and to comply with our legal obligations for those carrying out 'regulated activity'.
- 1.21 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 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. In particular:
- 1.21.1 We are legally required by the Independent Safeguarding Authority (ISA) to carry out criminal record checks for those who engage with vulnerable groups including children and who are carrying out 'regulated activity' as defined by the Safeguarding Vulnerable Groups Act 2006.
- 1.21.2 Some roles within Acorn Recovery Projects, Delphi Medial Limited and Whitworth Trust are listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023) and also specified in the Police Act 1997 (Criminal Records) Regulations (SI 2002/233) so are eligible for either a standard or enhanced check from the Disclosure and Barring Service. If you need more information about checks for specific roles, please contact the HR Department.
- 1.21.3 Roles of Directors and those within our Finance and Payroll departments require a high degree of trust and integrity since they often involve dealing with financial information and/or high value client contracts so we may ask you to seek a basic disclosure of your criminal records history.
- 1.22 We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

Automated decision-making:

- 1.23 You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

Data security

- 1.24 We have put in place appropriate security measures to ensure the safety of your personal data from accidental loss, unauthorised access, alteration, or disclosure. 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 our Data Protection Officer.

- 1.25 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?

- 1.26 If your application for employment is unsuccessful, we will hold your data on file for 6 months after the end of the relevant recruitment process. This is to enable us to provide you with feedback where necessary, on the outcome of the recruitment process. We may also require it in order to respond to or defend against any legal claims that may arise from the recruitment process. [If you provide consent to allow the organisation to keep your personal data on file, we will hold your data on file for a further [time period] for consideration for future employment opportunities. At the end of that period or once you withdraw your consent; your data is deleted or destroyed.
- 1.27 If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained for the duration of your employment with us. 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.

Your rights in connection with your personal information

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

- 1.28 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.
- 1.29 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.
- 1.30 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).
- 1.31 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.
- 1.32 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.
- 1.33 If you want to exercise any of these rights, please contact our Data Protection Officer in writing.

Withdrawing consent

- 1.34 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 our Data Protection 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.

Queries or complaints about how we process your personal data

- 1.35 If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Officer in writing.

1.36 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. They can be contacted at www.ico.org.uk