



## 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.

This privacy notice applies to all job applicants, whether they apply for a role directly or indirectly through an employment agency. It is non-contractual.

## Data protection principles

Under the GDPR the personal information we hold about you must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to those purposes.
- Accurate and, where necessary, kept up to date.
- Kept in a form which permits your identification for no longer than is necessary for those purposes.
- Processed in a way that ensures appropriate security of the 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, address, telephone number and personal e-mail address
- personal information included in a CV, any application form, cover letter or interview notes
- references
- information about your right to work in the UK and copies of proof of right to work documentation
- copies of qualification certificates
- other background check documentation



- details of your skills, qualifications, experience and work history with previous employers
- information about your current salary level, including benefits and pension entitlements

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

- whether or not 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 current and 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 and we will inform you that we are doing so.

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

Your personal information may be stored in different places, including on your application record, in the Company's HR management system and in 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 in one or more of the following circumstances:

- where we need to do so to take steps at your request prior to entering into a contract with you, or to enter into a contract 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. Our legitimate interests include: pursuing our business by employing staff; managing the recruitment process; conducting due diligence on prospective staff and performing effective internal administration.

The purposes for which we are processing, or will process, your personal information are to:

- manage the recruitment process and assess your suitability for employment or engagement
- decide to whom to offer a job



- comply with statutory and/or regulatory requirements and obligations, e.g. checking your right to work in the UK
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensure compliance with your statutory rights
- ensure effective HR, personnel management and business administration
- monitor equal opportunities
- enable us to establish, exercise or defend possible legal claims

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?

If you fail to provide certain personal information when requested, 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 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 additionally allows us to.

Some special categories of personal information, i.e. information about your health, and information about criminal convictions and offences, is also processed so that we can perform or exercise our obligations or rights under employment law.

The purposes for which we are processing, or will process, health information and information about any criminal convictions and offences, are to:

- assess your suitability for employment or engagement
- comply with statutory and/or regulatory requirements and obligations, e.g. carrying out criminal record checks
- comply with the duty to make reasonable adjustments for disabled job applicants and with other disability discrimination obligations
- ensure compliance with your statutory rights
- ascertain your fitness to work
- ensure effective HR, personnel management and business administration
- monitor equal opportunities



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.

However, if your job application is unsuccessful, the Company may retain your personal information on file in case there are future suitable employment opportunities with us for a period of 1 year. We will ask for your consent before we keep your personal information on file for this purpose. Your consent can be withdrawn 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 the HR department, members of the recruitment team, and managers in the department which has the vacancy.

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 parties (and their designated agents), including:

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

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

## 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 and other third parties who have a business need to know in order to perform their job duties and responsibilities



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 for employment or engagement is unsuccessful, the Company will generally hold your personal information for one year 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 6 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 you have consented to the Company keeping your personal information on file for in case there are future suitable employment opportunities with us, the Company will hold your personal information for a further one year after the end of the relevant recruitment exercise, or until you withdraw your consent if earlier.

If your application for employment or engagement 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 permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

## Your rights

Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information
- request rectification of your personal information
- request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate



interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground

- the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact our data compliance manager.

If you believe that the Company has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time.

## 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 how we handle your personal information, please contact our data compliance manager as follows:

Simon Ward

Email: [simon.ward@sam7.co.uk](mailto:simon.ward@sam7.co.uk)

Phone: 01420 549920

Address: Sam7 Limited, Turner House, 9-10 Mill Lane, Alton, GU34 2QG